



THE VOICE

COALITION OF MOBILEHOME OWNERS

JANUARY 2008 VOLUME 4 ISSUE 1

HAPPY NEW YEAR - 2008

First of all, we welcome residents from West Sacramento, Salton City, Yucaipa, Riverside, and many other areas to our growing family. Welcome

Wow, it is 2008 already! How the years fly by! CoMO-CAL is beginning its fourth year serving mobilehome owners in California. We continue to communicate and educate. We are the fastest growing advocacy group for California mobilehome owners, and why shouldn't we be.

LAST YEAR every member received THE VOICE (an average of 20 pages a month). We don't censor, nor is any subject taboo. We inform on all issues, not just legislation. We continue to be very concerned about issues as out of control managers, interference of sales, etc.

In addition last year we sent out 8,000 copies of THE WHISPER (mainly to non-members) explaining about Western Manufactured Communities Association (WMA), rent control, AB1309 and other issues. No other advocacy group does this.

Knowledge is power. Without communication we are lost. Without communication how would we know what the WMA is doing, or what's happening around the state. This is our number one goal - to inform, and communicate. Of course we continue working hard to UNITE all mobilehome owners and believe this is the only way to make progress in protecting our rights.

2008 brings new ideas. This month we will continue to publish and mail a hard copy of THE

VOICE. However, for anyone with internet access, THE VOICE will grow to perhaps 30 pages. Why? So much is happening and there are hundreds of issues. For example, this month we list the cities and counties that have a rent stabilization ordinance. Please do your share, every park needs at least one CoMO-CAL member with internet.

CoMO-CAL has retained attorney, Mr. Bruce Stanton of San Jose. We welcome him to our team. He will help answer legal questions as well as write a monthly article for THE VOICE.

Milt Burdick, ex-GSMOL Zone C Vice President, has joined as our Political Reference Committee Chairman. Uncle Miltie is the 'go to guy' for information on legislation and politics.

We are a member of CARA (see Page 7) and have joined the Congress of California Seniors. Both groups are active promoting and supporting new bills in Sacramento.

We have a new message board on the internet. It is free to join. You do not have to be a member of CoMO-CAL and sign up is easy. Simply go to:

<http://groups.yahoo.com/group/comocal/>

We look forward to the many challenges 2008 will bring and believe it will be a 'banner' year for us! Remember, CoMO-CAL is your organization and it's success depends on your membership and participation. And remember:

THE VOICE is YOUR VOICE

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.

CoMO-CAL, Inc. is a non-profit 501(c)3 charitable 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.

FRANK WODLEY
EDITOR—THE VOICE
800-929-6061

Purchase your Park

David Loop (Aptos):
 831-688-1293

Deane Sargent (Hillsborough):
 650-375-8043 DVD on purchasing your park—on request

George Turk (Millennium Housing): 949-515-5100

The CoMO-CAL Team

FRANK WODLEY
President
818-886-6479
fawodley@yahoo.com

BOB HITES
Vice President
530-743-2965
anvil95993@yahoo.com

MILT BURDICK
Political Reference Committee
714-572-0253
milters2000@yahoo.com

RAY CHAVIRA
Lancaster Representative
661-946-8109
raymondchavira@aol.com

STEVE MOLSKI
San Diego Representative
619-427-1221
molski1@nethere.com

JOHN FATONE
Inland Empire Representative
Trumpetplayer43@msn.com
951-657-6206

CONSULTANTS & CONTRIBUTORS

Mr. Bruce Stanton
Attorney, San Jose
408-971-0900

Sally Studer
Stanislaus Mobilehome
Owners - Advocates
(reach thru CoMO-CAL)

Rosemary Tomai
Homeowners Coalition
Mobilehome Parks in
Tuolumne Co.: 209-532-0889

Jerry Lenhard
(Escondido): 760-745-3734

David Loop (Aptos)
831-688-1293

Failure to Maintain Attorneys

Endeman, Lincoln, Turek and
 Heater (ELTH) San Diego
 800-895-5053

HCD - Riverside
 909-951-4431 or 909-782-4420.

Attorneys—MRL Issues

Stuart Parker (Los Angeles):
 323-931-2999

Jim Holmes (Ventura):
 805-642-2781

Kristine Awalt (Sacramento):
 916-927-7311

Jeremy Singer (San Diego):
 619-543-8190

David Grabill (Santa Rosa):
 707-528-6811

Bruce Stanton (San Jose):
 408-971-0900

Basta (Los Angeles): 213-736-
 5050

Basta (Lancaster): 661-718-
 0599

Adrian Andrade (Santa Maria)
 805-928-3651

Ken Carlson (Idyllwild):
 951-659-6043

Will Constantine (Santa Cruz):
 (831) 420-1238

Mold Attorneys

Miller Law, Inc. (Sacramento)
 916-351-1200

AB1309 - Disaster for Owners of Mobilehomes

So what is AB1309 (Calderon) and what will it mean to owners of mobilehomes if it passes and becomes law in 2008?

What is AB1309? In simple terms, Assembly Bill AB1309 is about **VACANCY DECONTROL**.

Mobilehome Rent Stabilization: there are approximately 100 local jurisdictions with some form of mobilehome park rent stabilization in California. Some of these ordinances have a vacancy control or partial control mechanism, meaning that the rent cannot be increased or can only be adjusted marginally **upon a vacancy in a park space (when a home is sold and title transferred to another party)**. This bill would pre-empt local mobile-home vacancy control stabilization ordinances.

Remember the park owners group called Western Manufactured Communities Association (the WMA for short)? Well the WMA sponsored AB1309 last year and the California Association of Realtors, the California Chamber of Commerce and the California Mobilehome Parkowners Alliance supported it. It became a two year . Now the legislature will reconsider it, beginning as soon as January 7, 2008.

What will it mean to owners of mobilehomes in rent stabilized areas?

In one, simple word: **DISASTER!**

Why? Remember our rule of thumb? For every \$10 rent increase, the equity in our homes decreases \$1000. AB1309 doesn't effect the equity of our home as long as we live there. But it has disastrous consequences when we try to sell.

You may ask "Why hasn't CoMO-CAL written about this before? Why haven't we been alerted?"

In fact, we began writing about it in April 2007. It was on the front page of our June 2007 issue: **"AB 1309 - DISTURBING NEWS FROM**

SACRAMENTO" At that time we wrote:

We feel if this does become law, it will have a devastating effect on all owners of mobilehomes. For example, we have a Rent Stabilization Ordinance here in Los Angeles which allows parks to increase rents upon sale by 10%. This means if your rent is \$500 and you sell, your buyer's rent increases \$50 to \$550. A \$50 rent increase translates into an equity loss (your home is worth less) of about \$5,000. If AB1309 were to become law, there would be NO CAP for new tenants. Their rent could easily DOUBLE. Based on our example, their space rent could jump to \$1000, a \$500 rent increase! So what happens to your equity and your sale? YOUR HOME IS WORTH \$50,000 LESS! Not the \$5,000 under the present law. YOU LOSE \$45,000 more! Of course this is an estimate of the effect of AB1309, but let's not wait to find out when it becomes law.

Remember this applies to areas presently having rent control, with an ordinance that caps rent increases upon sale. In all other cases, park owners can already increase your rent to any level. You are already at their mercy.

So what can you do to stop BA1309? Write your legislator telling him what a disastrous bill this is for owners of mobilehomes. Indicate you personally would lose thousands of dollars should it pass and become law. Get your friends and neighbors organized and suggest they follow your lead.

That's what it takes. Organization and Effort. CoMO-CAL is here to support your efforts, but we can't do it for you.

Remember, this is not the only challenge to rent control. The other is the Jarvis Initiative. We have written about it many times in 2007. It will probably be on the June 2008 ballot. Late in January 2008 it should be assigned an initiative number. We will follow up on developments in the February issue of THE VOICE.

PARK MANAGEMENT CAN BE LIABLE FOR FAILING

TO TAKE ACTION AGAINST ABUSIVE NEIGHBOR By: Bruce Stanton, Attorney

ABOUT THE AUTHOR: MR. STANTON HAS BEEN A PRACTICING ATTORNEY SINCE 1982, AND HAS BEEN REPRESENTING MOBILEHOME RESIDENTS AND HOMEOWNERS ASSOCIATIONS AS A SPECIALTY FOR OVER 20 YEARS. HIS PRACTICE IS LOCATED IN SAN JOSE, AND HE IS CURRENTLY THE CORPORATE COUNSEL FOR THE CALIFORNIA MOBILEHOME RESOURCE & ACTION ASSOCIATION (CMRAA)

Mobilehome residents have long believed that park management has a legal duty to take action against park residents who violate park rules or disturb the occupancy of others. A 2005 ruling by the California Court of Appeal confirmed this to be true, and created a valuable new precedent that residents can use to force management to do its job.

In *Joel Andrews v. Mobile Aire Estates*, which arose in Los Angeles County, mobilehome residents sued the park owner for breaching their rental agreement. They alleged that the park had failed to take action against a troublesome neighbor who lived next door. Over the course of 30 months, a series of altercations had occurred between the residents, resulting in approximately 50 calls to the Covina Police Department. The plaintiffs also sent numerous "resident objection forms" to management, alleging that the disruptive tenant had splashed mud on their newly washed cars, aimed a video camera into their living room, subjected them to racial slurs and once tried to run them over in his car. The dispute eventually resulted in a physical altercation and assault and battery. Truly this had become a nightmarish situation for the residents. Despite all of the police calls and objections, the park took no action of any kind against the "bad tenant".

Finally, plaintiffs filed suit against both the "bad neighbor" and the park owner. The trial court ruled that the park owner could not be held liable, and that the rental agreement imposed no duty on the park owner to take action. The court believed that the stated policy of the park owner was the proper policy; i.e. not to allow onsite managers to become involved in tenant/neighbor disputes due to the potential for danger, and that they should tell residents to "call the

police" in those situations. The park's rental agreement contained the following language: "THE PARK IS AN AVERAGE RESIDENTIAL NEIGHBORHOOD, IT IS NOT PERFECT. WE WILL TRY TO MAINTAIN THE PEACE AND QUIET, BUT THERE MAY BE TIMES WHEN WHATEVER WE DO WON'T WORK. WE WILL DO WHAT WE CAN IF YOU CANNOT GET OTHERS TO UNDERSTAND YOUR COMPLAINTS." The plaintiffs appealed.

The Court of Appeal overturned the lower Court, and ruled that the park owner could be liable for failing to protect its residents as required by law and the language of its own rental agreement. The Court ruled that every mobilehome tenant is entitled to the "quiet enjoyment" of the premises which he or she occupies. This covenant protects a tenant from any interference with tenancy rights. The Court also held that the park owner had breached its own rental agreement by failing to "...do what we can..." The park owner was held to be contractually obligated to make a reasonable effort to maintain the peace and quiet of the premises as agreed upon in the rental agreement. The Court's ruling is best summarized as follows:

However, resort to law enforcement is not the issue here. A mobilehome park owner cannot disregard conduct by a tenant upon the park premises that constitutes a substantial annoyance to other homeowners or residents. Faced with such a situation, the covenant of quiet enjoyment requires a reasonable response by the landlord, which may include conducting an investigation and thereafter taking appropriate action, which may include the issuance of a warning to the offending party, the pursuit of injunctive relief against the tenant to enjoin the violation or, if necessary, the commencement of eviction proceedings.

Continued on next page bottom

MODESTO (STANISLAUS ADVOCACY) ENDORSES CoMO-CAL

CoMO-CAL contacted us after reading an article in our local newspaper, the Modesto Bee, and offered us help and support, with no strings attached. No membership requirements, easy access to leadership and a network providing assistance that helped us attain rent stabilization for the City of Modesto.

We are now proud members of the CoMO-CAL family, and continue to use their network in our efforts to provide that same protection for mobilehome owners residing in other city jurisdictions and also in the unincorporated areas of Stanislaus County.

We are pleased to freely share our experiences and

knowledge (through the CoMO-CAL network) with other mobilehome owners in need of rent stabilization. Please direct your requests for this information to Frank Wodley, President, CoMO-CAL.

We believe CoMO-CAL is the grass-roots organization that can be the catalyst to bring positive changes for park residents across the state. The Stanislaus Advocacy endorses CoMO-CAL and encourages all mobilehome owners and local groups throughout the state of California to unite behind this organization.

Sally Stoder

Stanislaus Mobilehome Owners - Advocates

Why Not Rent Control For Mobilehome Parks?

Parks are designated to provide affordable/low income housing and are a vital component of that housing stock. The Mobilehome Residency Law (MRL) allows unlimited space rent increases every 6 months.

Mobilehome owners have the larger property investment, but every \$100 rent increase decreases that homes equity value \$10,000. Exorbitant rent increases on resale also depreciates home equity. Park residents are forced to sell at a loss or abandon their homes, often with no housing alternative available.

The mobilehome park industry is a monopoly of a captive nature with the immobility of mobilehomes

and lack of available spaces. Park maintenance occurs at the park owner’s whim.

The Department of Housing and Community Development (HCD) has no legal authority to enforce MRL Civil Code provisions. Residents have no leverage or bargaining power.

Rent control helps level the playing field.

If local government does not act to protect it’s citizens from tyrannical landlords, then that government becomes part of the tyranny.

By Sally Stoder

Stanislaus Mobilehome Owners Advocacy

(continued from page 4) This case represents the first reported appellate decision that imposes such a clear duty upon a park owner. It was unsuccessfully opposed by the Western Manufactured Housing Communities Association (WMA), which tells us how important park owners thought this case was. You can bet that the park owners will now be advised to

revise their leases and remove any language which states that the management will take any measures to control abusive neighbors. But the “cat is out of the bag”, and residents can now cite the *Andrews* case whenever management is being requested to take action against an abusive neighbor.

LISTEN UP by Bob Hites, CoMO-CAL Vice President

HAPPY NEW YEAR EVERYONE

This is the old Sarge and it is time to LISTEN UP. Well it is a new year and new challenges await each and every one of us. Whether it is a new grand child or trying to meet and keep your New Years Resolutions. Well a resolution for me is to help UNITE, help ORGANIZE, help TRAIN and GET YOU FOLKS INVOLVED. It will take a continued effort on ALL of us to keep ahead of those that are trying to make life difficult for those who reside in mobile home parks. So, let's GET INVOLVED with the issues that may and will affect your lifestyles. PLEASE do not sit back and think that someone else is going to look out for your own way of life because that is just not going to happen.. We ALL must take a stand, and we ALL must ask questions and we ALL must formulate ideas and maintain our documentation of WHO WHAT, WHEN, WHERE, HOW AND WHY????? We as mobile home owners must bring about a UNITY that will be heard in the halls of our Capitol and the halls of Congress. We have plenty of laws on the books, and the MOBILE-HOME RESIDENCY LAWS have many loop holes that are being identified and closed yearly.

However, WE do not have a very strong VOICE. There are only a few that get involved. When there

are literally hundreds of thousands that reside in mobile home parks throughout this state that sit back and declare I DON'T NEED RENT CONTROL, or RENT STABILIZATION and the PARK OWNER HAS every right to raise the rent beyond my cost of living. Well, it must be nice to be so self sufficient. But when the chips are down and a Park Owner as swooped down with a hefty rent increase don't say I did not warn you.

YOU MUST UNITE, YOU MUST ORGANIZE AND PLEASE JOIN an ADVOCATE GROUP that thinks outside the box and brings to you the issues and verified news that YOU will need to make a comprehensive and correct decision. REMEMBER – IT IS YOUR MONEY YOUR LIFE STYLE AND YOUR HOME. YOU HAVE THE LARGEST INVESTMENT – WE CERTAINLY DO NOT WANT TO LOOSE WHAT WE ALL HAVE WORKED SO HARD FOR. JOIN US SO WE CAN CONTINUE TO HELP YOU. BROUGHT TO YOU BY CoMO-CAL THE FOLKS THAT CARE ABOUT YOU – THE MOBILE HOME OWNER. THAT IS YOU STAND TALL, BE PROUD OF WHO YOU ARE.

Thanks for reading

Bob Hites, Vice President CoMO-CAL

Donald DeVore—Advocate - Retires

Donald DeVore has notified CoMO-CAL that he will no longer be involved helping mobilehome owners. He is retiring for good this time to live out the rest of his years near family. We found Don when we came across his terrific book "Mobilehome Wars." Don has been an advocate

for over 30 years. He ran the organization in Colorado and has been involved helping residents for many years. We wish Don all the best and thank him for all his hard work. Anyone wanting a copy of "Mobilehome Wars," please contact CoMO-CAL. We sell it for \$10.00 and part of the proceeds go to Don.

Puzzle

The poor have it, the rich don't need it, and you will die if you eat it. What is it? (answer next mo)

West Sacramento residents take first step towards organization & rent control

Hello Everyone: Well, on 8 December I took a road trip to West Sacramento and met with approximately 50 members of the West Sacramento area that reside in mobile home parks. They were a delightful group of people and showed great interest in forming a HOA in their area. It will take some work but it can be done. Their park managers there are telling home owners that they must cut down the trees and fix their driveways. As usual the managers do not know what they are doing. Sad, but true. Through acts of intimidation and constant berating of the park residents. According to the Mobile Home Resident laws you do not have

to cut down the trees or fix your drive ways. That is the responsibility of the park owner and his/her management team. Please if you do not have a copy of the MRL please obtain one, read it and be able to document the management's errors. We have to start fighting back and we have to get our heads out of the sand and be able to defend our homes. I sure would like to see some management team come into this park and try to take my home. I will give them a war they will not believe. SEMPER FI (ALWAYS FAITHFUL)

BOB HITES

CARA Welcomes All CoMO-CAL members

November 28, 2007

Dear Friends at Coalition of Mobilehome Owners (CoMO-CAL),

Congratulation and Thank You. You are among the first 200 organizations to join the California Alliance for Retired Americans (CARA). Your membership will enable us to build a strong, progressive voice for retired Californians and become a strong affiliate to our national organization, the Alliance for Retired Americans.

We have developed a very aggressive agenda for 2008 that will focus on winning real improvements for California's retirees and their families. We will keep you posted on our efforts to win real prescription drug benefits, improve access to health care including long term care, fight for affordable housing opportunities and much more.

Enclosed is a copy of your official CARA Charter. We just moved to a new CARA Alert format

that will allow us to publish an update at least once and possibly twice monthly. Any member of your organization that has email or a fax number can receive the Alert directly—for free. Please send us any names of your members that are interested and we will add them to our CARA Alert list. Your organization will also receive a charter from ARA, which will be mailed under separate cover.

We would like to invite any members of your organization to join our CARA Action Team (CAT meeting in your area We have attached a recent newsletter for your review.

Thank you for your support. We look forward to working with you to win real improvements for seniors and their families,

Sincerely

Nan Brasmer, President, CARA

BUY THIS PARK? WE CAN'T AFFORD IT!

"We could NEVER afford to buy this mobilehome park!" These words came from Bill, a 65 year-old gentleman who sat across from me at the dining room table in his mobilehome. Around the table sat four of Bill's neighbors in the park, a 50-space community located in Northern California. They nodded in agreement with Bill. One said, "Dave, you don't understand. This is not a rich park. We have some working people here, but most are senior citizens living on small, fixed incomes. Even if we wanted to buy the park, how could we afford it?"

Bill (the President of the park's homeowner association) had asked me to meet with his group. Word had come to him that the park owner planned to sell the park, and would consider selling it to the homeowners. However, the homeowners would have to pay his price, and complete the purchase in a short time frame. The price mentioned by the park owner was well in excess of \$1 Million. Bill knew that I lived in a park that had been bought by its homeowners in 2005. He knew I had been involved in the legal aspects of our park's deal. He was curious about how we had accomplished our goal of resident park ownership. The idea of owning the park appealed to Bill and his group, but they had many questions. Was their owner's asking price fair? What about the condition of the park? Where could they find money to buy the park, and could they really afford to buy it?

The group around that table didn't realize it that afternoon, but they already had two major pieces of the "park purchase puzzle" in place. They had:

An owner willing to sell the park at a fair price, and,

A few homeowners who wanted to take a serious look at the park purchase idea.

What they did not have yet was:

An experienced consultant who could help them confirm the park's value, find financing to buy the park, and help them address the many

aspects of a complex real estate transaction.

A specific plan on how to approach the project.

These things would come later. For now, Bill and his neighbors needed some basic information about "co-op" park purchases. (By "co-op," I mean a purchase of a mobilehome park *by an association made up of the park's homeowners*. That is, the homeowners' association would own the park, and each household could each own a share of the association. In today's financial markets, a co-op purchase is the only kind that makes sense for mobilehome owners). Bill, his neighbors and I discussed the following points:

- Any purchase where the homeowners will own the park (rather than some "outside" nonprofit corporation) will require some input of equity money from the homeowners. A lender will want *some* equity to be put in by the people who will own the park. Usually, the homeowners put equity into the deal by each purchasing a share in their homeowner association.

- If the association buys the park, it is likely that members' monthly payments will be more than when they simply rented a space. The association's goal is to make this increase affordable. Once homeowners understand the benefits of park ownership, and if they can afford the proposed monthly increase, they tend to join the association

- Every homeowner in the park does *not* have to buy-in to the association for the resident park purchase to succeed. Usually, 60 to 70 percent participation is enough. For Bill's 50-space park, this meant between 30 and 35 households needed to participate to allow the association to buy the park.

- "Government" lenders (e.g., state or county government agencies) may offer attractive low interest loans. But government loans come with strings attached, such as the requirement that the park meet certain low-income standards. A group needs to carefully evaluate whether they want to be bound by these strings, or not. Also, getting government money can take many

months, and a park seller may not be willing to wait that long for his money.

- Local banks often hesitate to make mortgage loans to mobilehome park associations. They are not eager to lend to associations with little business history or money in the bank.

- If you use commercial financing for your association's first mortgage, you will need a lender willing to make a "high leverage" loan. Typically, that loan that will cover about 80% of the park's fair value plus the costs of sale. A high leverage loan allows the park's homeowners to come up with less out of their own pockets to make the deal work.

- You must have a plan for "share-financing." It's likely that some homeowners in the park will not be able to pay "cash" for their share in the homeowners' association. The association needs a way to let those homeowners participate by buying their share with a small down payment.

The association leaders must perform due diligence regarding the park purchase. That means thoroughly analyzing the "numbers" presented by every consultant who offers to help you buy the park. It means not signing contracts with any consultant until the deal has been completely explained and understood. Anything less, and the association leaders have done a disservice to themselves and every homeowner in the park. (For more on "due diligence," please read my article in the May/June 2007 *Voice*).

It was two years ago that I sat with Bill and his neighbors around that table. Shortly after our meeting, they found a consultant, did their "due diligence," and came up with a specific plan to buy their park. They completed the purchase in 2006. Today, they have stabilized their rents for the long-term, no longer worry about the possible loss of local rent control, and have seen their home values increase substantially. Through their association, they own the land where their homes are sited. By the numbers, their park purchase looked like this:

- Share price ("buy-in") = \$12,000.

- Number of Shares offered for sale = 50 (one per household).

- Buy-In Terms: Pay \$12,000 cash for a share, or finance 95% of the share purchase by putting \$600 down. (About ½ of the households who joined financed the purchase of their shares).

- Number of households who "bought-in" at time of park purchase = 45. I.e., nine out of ten households bought in.

- Average monthly rent paid per household as a "space rent" park *before* resident ownership of the park = \$260/mo.

- Monthly fee for members after park purchase = \$390/mo. This covers park operating expenses, payment on the association's mortgage on the park, and payment into the association reserve account.

- Monthly rent for those households that did not participate = \$260/mo (rent control stayed in effect for non-participants). The "renters" now have the association as their landlord.

- Mortgage Terms: The association got an 80% loan based on the appraised value of the park. As part of their first mortgage loan, they also borrowed some money for park "fix-up" and to establish a reserve account. The association has a fixed rate (*not* adjustable) mortgage at 6.1%. The mortgage loan is to be refinanced in 10 years. All borrowed money came from one commercial lender (no government loans used). The park has no low-income requirements or restriction on home resale values.

David Loop is a real estate attorney and past homeowners' association president at resident-owned Aptos Knoll Park, near Santa Cruz. You can ask him questions by sending an e-mail to deloop1@sbcglobal.net, or calling 831-688-1293.

News Around The State

Perris City Council places moratorium on mobile home rent increases Nov 13, 2007

The Perris City Council placed a 45 day moratorium on all rent increases. Concerns from several residents prompted the action by council members. "Our hands are tied," said Councilman Al Landers. "We've got to do something to help you folks." John Fatone, chairman of Park Place Manufactured Homes Community Group, said he was pleased with the council's decision. "It's protection for seniors," Fatone said before the meeting. In February, Fatone along with residents from two mobile-home parks, Lake Perris Village on San Jacinto Boulevard and Park Place on Dawes Street, raised concerns with rapid rent increases over several months. Fatone said the residents are paying about \$490 a month, \$100 more than several months prior. Mayor Daryl Busch and other council members supported the ordinance in order to assist the council when deciding whether to adopt a rent control ordinance later. "That's what the moratorium is for, to get the facts," he said at the meeting. Councilman John Motte opposed the ordinance, saying that it would open the city to legal issues. He called the action anti-American and anti-property rights.

Evictions Halted as Santa Monica Launches into Trailer Park Development Agreement

Many residents said previous property owners and managers have deliberately run down the trailer park and not allowed residents to sell or upgrade their trailers because redevelopment ideas have been in mind for years.

"I own and have invested financially in my trailer, which is what they are trying to take away," said Jack Waddington, who has lived in Village Trailer Park for nine years.

"I prefer trailer park living, which I have been doing for 20 years," Waddington said. "It is my own space with a patio, foliage and no shared

walls. There is a strong sense of community that can never be found living in housing complexes."

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"I prefer trailer park living, which I have been doing for 20 years," Waddington said. "It is my own space with a patio, foliage and no shared walls. There is a strong sense of community that can never be found living in housing complexes."

San Marcos Park Owner Wants Rent Increase

After more than three hours of testimony from residents, experts retained by the city, and experts and attorneys retained by park owner Carolyn Artis, the meeting will continue Jan. 8. Residents of the 85-space park's 32 lowest-rent spaces received a notice this summer from management company Cal-Am that their rents would be raised to \$650 per month. For some renters, the increase was as little as \$12 a month. For others, it was closer to \$300 a month. "You bought a park with some of the highest rents in San Marcos ... and you're here a year later asking for a couple of hundred dollars more (per month)," Commissioner Mike Preston told one expert, Norton Karno, who advised Artis to buy Villa Vista. "Was that a good business decision or not?"

Board to Weigh Home Conversion Rules

The need for new regulations on conversions and closures of mobile home parks will be debated Tuesday by the Santa Barbara County Board of Supervisors. On the issue of mobile home park conversions, subdivisions and closures, the board is considering whether new county regulations are needed because such changes are allowed under existing state laws. In May, the supervisors unanimously backed two bills aimed at rewriting state Government Code sections that currently enable park owners to avoid local rent-control ordinances

by subdividing a park and selling off one or more spaces.

One of those bills, AB 1542, was passed by the Legislature but then vetoed by Gov. Arnold Schwarzenegger, according to a report from the county planning staff. The other bill, SB 900, is still active but not yet law. Currently, there are 15 mobile home parks in the unincorporated areas of Santa Barbara County and only one, in Orcutt, where residents own rather than rent the spaces beneath their coaches, the staff report says. The county regulates how much park owners can increase space rents annually, but its ordinances are silent on conversions, subdivisions or closures of parks, relying instead on state law.

San Luis Obispo county supervisors voted in February to place a temporary moratorium on converting mobile home parks there to other uses. In July, the city of Goleta also placed an "urgency ban" on conversion of parks to resident ownership until the effects of SB 900 and AB 1542 are better known.

Purchase of Windsor Park by ROP, Inc.

The pending sale of Windsor's largest mobile home park is causing anxiety among its senior residents who fear they can't afford the rent increases planned by the buyer.

The purchase of the Windsor Mobile Country Club by a nonprofit housing corporation is billed as a way to keep rents affordable. But rents in the 336-space park could jump significantly at first -- 50 to 65 percent in some cases -- in order for the buyer, Resident Owned Parks of Sacramento, to swing the deal.

"Selling this place has really put us all in a tizzy," said June Moss, an 83-year-old widow. "God knows how high our rent is going to be."

Her income, like that of many residents, comes from Social Security. She pays slightly more than \$300 a month but could face an increase to \$500 under the preliminary projections of the new buyers. (full article in Supplement - email only)

Winning and Keeping Rent Control

We have some really good news which will help those of us in rent-controlled mobile home parks. Our group consists of some residents of rent-controlled mobile home parks. We have won many victories and we will win more, now that we know how to assert our rights.

We have followed the Jarvis Initiative and bills such as AB 1309, any of which could weaken or destroy our rent control. We have watched over bills such as SB 900 and AB 1542, which would strengthen our protections.

Always, the organization that has opposed our interests has been the California Association of Realtors, which oddly, some of us are members of. But being members, we know how to defuse the C.A.R., though it is the big dog on the block. In short, the C.A.R. is the most powerful group that opposes rent control. It has 200,000 members, all

of whom contribute membership dues. Also, their members usually vote which ever way the C.A.R. says to vote. But the C.A.R. will be defeated, if even a small number of citizens simply begin engaging it. We intend to stop the C.A.R.'s opposition for all elections to come. We have already started a letter writing campaign to the C.A.R. Get back to us, and we will show you how we can all be successful.

We will give you contact info. We will show you how to file a complaint with the California Department of Real Estate against the Realtors who are failing to disclose the fact that rent control can be challenged. That will really get the C.A.R.'s attention!

Regards,
Jim Richard et al.
Santa Barbara and other counties

Mobilehome Owners Are Confused

CoMO-CAL resently received the following e-mail from our member Nick Mills of Canoga Mobile Estates in Canoga Park (San Fernando Valley - North West of Los Angeles). I have called Nick and received permission to publish his e-mail. Bottom line, we appreciate members like Nick. Why? CoMO-CAL is your organization. We are here to serve YOU. If you have a suggestion, comment, complaint, etc. we want to know. We welcome your input! Really! Nick writes:

Thanks again for your newspaper. As always it is most informative. Frank, I would like to make a suggestion for your paper. I find the paper so full of information, and with each article showing urgency; that frankly I find myself confused. I think you need a format where the absolute most important issue is

"showcased". Where all your readers can clearly understand that which is most important.

I know that all articles address important issues, but each article cries "wolf" and confuses us as to which articles are really the most important ones. Frank, I hope you take this suggestion in the spirit of which it was given. PLEASE DO NOT THINK, FOR A SECOND, I DON'T APPRECIATE ALL YOUR FINE WORK. It's just that we need to know what is truly URGENT, and what is not. If you pick more than one or two topics at a time, we begin to think; none of it is that important. Thanks for listening, and keep up the good work.

Nick Mills P.S. I wouldn't want your job for all the tea in China. Thanks Again.

Let's simplify the issues by Frank Wodley

As residents in mobilehome parks, we face many issues. Most are complex and difficult to understand and may require an attorney to sort out. Often times I'm confused. So here is my personal opinion regarding which issues are most important and which are less important.

Among the "truly urgent issues" are **AB1309** (vacancy control) and the **Jarvis Initiative**. Why these two issues? Each has devastating effects on rent control. The first, when you go to sell your home, would allow rents to be increased to "market level." And we estimate for each \$10 a month increase, your equity goes down \$1000. Here in Los Angeles, rents could skyrocket as much as \$500 or more, costing EACH OF US as much as \$50,000 or more!!! Can you afford that? I can't!

Next comes the **Jarvis Initiative (CPOFPA)**. It

probably will be on the June 2008 ballot. It will eliminate rent control across the state. Basically when you sell your home, the space is no longer covered by rent control and eventually no one will have rent control.

By the way, the Homeowners Protection Act is an alternate 'eminent domain' initiative that CoMO-CAL supports. Please vote for it in June and against the Jarvis Initiative. (Initiative numbers will be out late in January 2008)

In my opinion, Condo Conversions is not an urgent issue. Only one or two parks have gone condo, and perhaps less than 50 are even in the process. Many are working on a fix, including those in Sacramento. Several cities across California have already placed moratoriums to stop condo conversions. Continued on next page bottom

PROFILE OF A MOBILEHOME OWNER

The article you about to read is true. Nothing has been changed and the man exists today The man’s name is CLIFFORD ORCUTT.

A human being, a man, a mobile home owner And lives in a mobile home park in Lancaster, California. He has was born on 4 May 44, In Boston, Mass. He went to elementary school, high school and entered the United States Army. In 1969 he was sent to Vietnam. He spent two years in country fighting with people he did not know and sometimes could not see. An invisible enemy. He received Two purple hearts, bronze star and other combat awards for service to his country. He finished his tour with the military and took up residency in Lancaster, California.

He bought a mobile home. The space rent was affordable and he thought he was living the American dream. He had all the comforts of home, wife, car, furniture, job, and was comfortable. Then for some reason the park owners decided they would sell the park to another person. This park owners was friends with this man and this man had another friend and that man had a friend so there were four men all friends. They would in turn sell the park to each other and every time the park was sold the space rent would continue to increase. No improvements were being made. It was just a scheme that these men had created in order to make money on each of the selling transactions.

Today, the space rent per month is \$500.00. To-

day, our human being, a man, a veteran, a American hero faces eviction as he is now disabled due to back injury. He is currently losing his right lung and has trouble breathing. His total monthly income is \$800.00 per month. His space rent is \$500.00 per month. That does not leave much to pay for food, gas, Prescription medications, utilities. I am sure there are other stories that are just as worse, But, here we have a veteran, a person that is disabled and is treated with lack of respect and compassion.

The mobile home park was recently sold again to these four men For seven million dollars. These four men are not veterans, these four men are not disabled. However, these four men are extremely greedy and are making their living on the back of seniors and disabled people with very little concern.

The next rate increase is expected in March of 2008. Our human being, our veteran, CLIFFORD ORCUTT will loose his home, walk away from his American dream as he will no longer be able to afford the space rent increases.

What a shame that our government, our political leaders, can help those who have not fought for this country, who have not risked their life for the protection of our American freedoms to be treated in such a demeaning and non caring attitude. Our government provides for illegal immigrants but cannot or will not step in to help those who have sacrificed so much and in return get so little. WHY???????????

Some issues are extremely important, yet no one has confronted them. The issue of ‘out of control managers.’ The issue of ‘interference of sales.’ These are not urgent, we have time to deal with them, after all they have been around for years. CoMO-CAL has and will continue to devote time and effort to confront these.

Above all, the issue of ‘abuse of residents’ concerns us. Abuse can take the form of larger rent increases,

verbal threats, unjust rules and regulations, unequal enforcement of rules and regulations, refusal of parks to meet with residents or discuss their issues, the closing of clubhouses, the efforts to stop distribution of literature in parks, etc.

Enforcement should be a priority issue. Without enforcement, laws are meaningless. Only you or I can enforce the laws that protect us. Either we need to do it now, or change our laws.

CoMO-CAL THIS AND THAT

1. THE WHISPER: There is a new issue of THE WHISPER available to anyone who lives in a mobilehome. It is about the 'son of Proposition 90.' We have already sent out about 2,000 copies. The next issue will be on AB1309. Must reading for all mobilehome owners!

If you would volunteer to distribute THE WHISPER in your park, please contact us at 800-929-6061 and we will send you enough copies for your entire park. We appreciate your assistance.

2. Website Survey: Did you know we had a website at comocal.org? We have been running a survey for about two years. A few visitors have taken advantage. Here are the questions and results:

- Do you belong to another advocacy group? 20% GSMOL, 0% CMRAA, 3% County Wide, 3% Other, **75% No advocacy group.**
- How can CoMO-CAL help you: education about mobilehome issues 6%, education about the MRL 9%, **advice for problems I face in my park 79%**, money for attorneys 0%, I don't need help 6%.
- What is the major problem in your park? Rent increases too often 4%, rent increases too high 4%, management abuses residents—intimidation, harassment 22%, the park is making residents move their older mobilehomes 27%, too many 7 day notices 6%, threats of eviction 25%, my life is terrific 12%
- Do you know about Proposition 90: **No 62%**, Yes 38%.

3. Yahoo Message Group: We started a message group the beginning of December 2007. Anyone can join, whether or not a CoMO-CAL member. If you have a computer and internet access, just go to <http://groups.yahoo.com/group/comocal/join>. No charge. You can post information, a newspa-

per article, information about your park, ask a question, give an answer, or whatever. Just keep it related to mobilehome issues please. We already have over 60 members and many have posted messages already.

4. Donations: Your membership dues go far. 60% is used for THE VOICE. The remainder allow us to send informational materials to anyone who asks, and keeps our organization running. Expenses include postage, the 800 number, website costs, hardware, software, printing costs, etc. One benefactor of CoMO-CAL has personally donated \$4,000. To this member, we are indebted. Thank You! Please consider sending us a donation, whether \$5 or \$10 or more. It will be used to further our goals of education, communication. We will continue to UNITE mobilehome owners.

5. Attorney Services: CoMO-CAL has retained attorney Bruce Stanton of San Jose. Mr. Stanton has extensive experience with mobilehome issues, as an attorney for both GSMOL and CMRAA. Mr. Stanton will answer our legal questions, and write articles for THE VOICE on various issues. We welcome Mr. Stanton to our team.

6. Pumpkin Puzzle: Wow, we do have smart members! So far four solved the puzzle. Scott Simiril (Pacific Palisades), Will Juncosa (Aptos), Clelia Rodriguez (Chatsworth) and Bill Struve (Paradise). The answer was 25 pumpkins. We have decided all four will receive \$15 each!

7. Volunteer: Please volunteer to help us. Pass out THE WHISPER in your park. Be the CoMO-CAL rep for your park. Keep us informed if you have email. There are many things you can do to help.

8. New Members: Remember to tell others that CoMO-CAL offers a 90 day full money back guarantee when they join. No other advocacy group offers this. And membership amounts to about four cents a day! Imagine that!

Kort & Scott Financial / Sierra Management

For nearly 10 years, I've decried Sierra Corporate Management (Kort and Scott Financial) for its unrelenting way of extracting every dime possible from honest, hard-working people who own manufactured homes in every community they control.

Now the city of Torrance and its hardworking taxpayers are going to help what's left of the desperate seniors in Knolls Lodge and Manor by paying these predators to continue charging exorbitant rents. Just business? No!

This is the worst form of senior abuse. This corporation has raised space rent to more than \$1,100 a month plus utilities, forcing 80 percent of seniors, the disabled and low-income families from the affordable homes they owned. That's immoral, disgusting and un-American.

In December of 2006 my vehicle was damaged, while parked in our assigned space, by careless maintenance workers. Neither letters nor phone calls were returned

by Sierra Management. We took them to small claims court in July and won. They appealed and lost in September. It is now December and they still haven't paid the court-ordered monies.

In May, we left our friends in Knolls Lodge and Manor and the South Bay. Our lives had become so unbearable due to the harassment, stalking and intimidation inflicted on us by Sierra Management.

They found a "cash cow" in us and now the city of Torrance that deems seniors disposable. What kind of humans are we to condone this disgusting behavior? Should we reward a corporation that thrives on the destruction of human beings?

To my dying day I will not forgive K&S for forcing us to leave Torrance and our many friends. Mayor Frank Scotto, we beg of you to keep up the good work. To our friends and community, we love you. By Leo Lewis, Letter to the Editor, Daily Breeze December 14, 2007

CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

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) 90 day money back guarantee

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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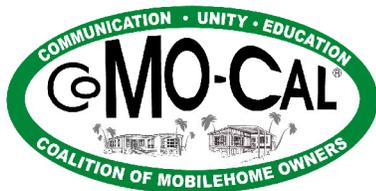


NEWSLETTER EDITOR

FRANK A. WODLEY
E-Mail: fawodley@yahoo.com

<http://comocal.org>

800-929-6061 / 818-886-6479



CoMO-CAL is a non-profit California corporation dedicated to serve mobilehome owners in California.

**Our purpose is education,
communication and to unite
mobilehome owners.**

SERVICES WE PROVIDE OUR MEMBERS

1. Our newsletter, THE VOICE, filled with important information every mobilehome owner needs. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected. And the WHISPER, an informational flyer, sent without charge.
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 advice.
6. Now every CoMO-CAL member automatically is a member of CARA California Alliance for Retired Americans.

Supplement Section of THE VOICE for January 2008

CoMO-CAL now has a way to give you much more information in THE VOICE—our email supplement. This information is seen only by those members who are on our email list. Others will only receive the ‘basic’ newsletter, usually 16 pages. The supplement, however, allows us to send out an endless number of pages of information each month. Of course the average owner of a mobilehome may not be interested in much of this information. We welcome your comments and suggestions. Also if you have material you would like to share, we will gladly include it in this section (if not in the basic newsletter).

What is our goal? Knowledge is power. And there is **Strength in Numbers**. We’ve said this over and over. Ideally, we would like to see at least one CoMO-CAL member in every park across California. (Remember there are about 4,800 parks total). Next, it would be wonderful if that member had internet access. This is extremely important for communication. We can communicate with hundreds of thousands of homeowners with a mouse stroke. This is our goal here in California. We are already about 10% there!

What can you do? Support this effort. Ultimately it will benefit you, your neighbors and your friends. Do you have email addresses for others who are mobilehome owners? Send them to us, please! We are not ‘pushy’ about anyone joining CoMO-CAL. In fact today, if someone can’t afford the four cents a day to join, they can join for free or whatever they can afford. Additionally, we give a 90 day full money back guarantee - if someone feels we do not give them value for their membership dues, we will promptly return their dues.

Homeowners who absolutely do not want to join us could at least be receiving information via THE WHISPER or our new CoMO-CAL MESSAGE

BOARD on Yahoo: <http://groups.yahoo.com/group/comocal/>

So are other advocacy groups in California doing this? ABSOLUTELY NOT. Not even close. We are getting far more information out than anyone else. And with THE WHISPER program, we are reaching out to thousands that do not belong to CoMO-CAL. Why? Our goal is to educate and inform ALL mobilehome owners, not just our membership. At the same time our hope is these residents will learn there is a group they can go to for assistance with the many problems they face as a mobilehome owner.

Please remember, this is not about CoMO-CAL. It is about helping mobilehome owners. CoMO-CAL is just a vehicle to accomplish that goal, a goal that is critical today. Our success does not depend on one or two or five people. It depends on you! It depends on everyone who knows about CoMO-CAL, member or not.

Time is running out. The threats continue. We’re tired writing about them and we’re sure you’re tired reading about them. We need to go from a defensive posture to an offensive one. We need to begin dealing with issues, one by one!! But we are weak until we have numbers.

Mobilehome owners need to get smart! They can’t ‘go it alone.’ That is impossible. As Sally Stoder stated on Page 5: “We believe CoMO-CAL is the grass-roots organization that can be the catalyst to bring positive changes for park residents across the state. The Stanislaus Advocacy endorses CoMO-CAL and encourages all mobilehome owners and local groups throughout the state of California to unite behind this organization.”

We feel CoMO-CAL is our best/only chance to combat the issues we face in our parks today. Please support our efforts. Get a new member, send us a donation. We need you ‘on board!’

Windsor park residents 'in a tizzy' over sale

By CLARK MASON THE PRESS DEMOCRAT
October 2007

The pending sale of Windsor's largest mobile home park is causing anxiety among its senior residents who fear they can't afford the rent increases planned by the buyer.

The purchase of the Windsor Mobile Country Club by a nonprofit housing corporation is billed as a way to keep rents affordable. But rents in the 336-space park could jump significantly at first -- 50 to 65 percent in some cases -- in order for the buyer, Resident Owned Parks of Sacramento, to swing the deal.

"Selling this place has really put us all in a tizzy," said June Moss, an 83-year-old widow. "God knows how high our rent is going to be." Her income, like that of many residents, comes from Social Security. She pays slightly more than \$300 a month but could face an increase to \$500 under the preliminary projections of the new buyers. "You get older, and these things really blow your mind. It upsets you. Everyone's really upset," she said in an interview in the living room of her double-wide mobile home.

Scott Taylor, a neighbor who has lived in the park since 1988, doesn't foresee an exodus of the 55-and-older crowd. He said Windsor Mobile Country Club is a desirable, well-maintained place with some of the cheapest rents around. "It's far less than any other place. Unless you want to pitch a pup tent, where are you going to live on a fixed income?" he said.

Maurice Priest, the president of Resident Owned Parks, the nonprofit corporation buying the park, said the company will seek rental subsidies from the Town of Windsor and other sources to lessen the sting of the initial rent hikes for low-income residents. "We have never been involved in a project that results in the displacement of homeowners, and this is not going to be one," he said. "We aren't going to be taking an 83-year-old woman

and making her rent \$800 to \$1,000 a month." He said he expects rents likely will increase to about \$500 per month on average.

Priest said his company's purpose is to maintain the affordability of mobile homes and preserve them as rental stock for low-income residents. He touts it as a preferable alternative to the controversial statewide trend of parks being converted to condominium-style ownership.

Condo-style ownership allows park owners to subdivide their parks and sell individual lots at prices that can reach up to \$100,000 for the tiny parcels. And once a park is converted, local rent controls no longer apply.

Windsor has a mobile home rent-control ordinance that essentially ties annual rent increases to the consumer price index, currently around 2 to 3 percent annually. But when a park changes hands, the new owner can adjust rents to take into account the cost of the acquisition and other factors.

Priest acknowledged the rents would jump initially to pay for the acquisition of the park by his company, as well as the costs of owning, operating and maintaining the common areas. "We don't add an additional profit margin," he said.

Priest said once the initial rental adjustment is made to finance the acquisition, his company intends to limit future rent increases to no more than 3 percent a year. And after 30 years, when the mortgage is paid off, the title would be turned over to the park homeowners association.

Town Planner Kevin Thompson said the purchase probably will be beneficial for residents. "Ultimately, I do think it's a good deal," said Thompson, who has looked into mobile home park acquisitions by Priest's nonprofit corporation in Arcata and San Luis Obispo County. He noted that Priest, an attorney, was a long-standing lobbyist in Sacramento for mobile home owners and renters.

Continued on page 19 bottom

Supplement to January 2008 THE VOICE

This is what you will find

Editors Note: Often there is too much information for a 20 page newsletter. Beginning the end of last year we published this supplement which allows us the opportunity to give you much more information. We realize not every mobilehome owner wants so much information, and for those we suggest that you just disregard this supplement. However for those of us who are active as advocates, this information can be valuable. This is just another vehicle to communicate information. **THIS SUPPLEMENT IS YOURS TO USE.** Make it your forum. We have no censorship and all topics concerning mobilehome owners are welcome. We ask that you send articles and information to comocal@yahoo.com with your name, email address, and physical address. Thank You!

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Page 21: Editors Comments Re: ROP, Inc.

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Page 26: Suggestions by Steve Molski, CoMO-CAL Chula Vista rep

Page 27: Let's start a homeowners organization

Pages 28-29: The 55 plus Rule - Answers (sent to CoMO-CAL by Milt Burdick)

Pages 30-31: CA MOBILEHOME PARK RENT CONTROL ORDINANCES - email by John Tennyson

Pages 32-40: Tables of Areas with Rent Control Ordinances

Windsor officials are examining the ramifications of the park purchase, which residents found out about in late May, after the fact. The purchase is in escrow and expected to close in September. Priest declined to disclose how much his corporation is paying current owner Ron Wollmer. Thompson said the homeowners' association may have some say over the rent jump. "If the homeowners' association agrees a one-time rent increase is warranted, that can occur. Or it can go to arbitration," Thompson said. "It's normal for people to be nervous about this kind of transaction. They're kind of

complicated," said David Grabill, a Santa Rosa attorney and affordable housing advocate. "When a park owner sells to a nonprofit, there can be very substantial tax savings built into the transaction. It can benefit the seller of the park and if it's done right, it can benefit the residents as well."

Library Researcher Michele Van Hoeck contributed to this report. You can reach Staff Writer Clark Mason at 521-5214 or clark.mason@pressdemocrat.com

Comments by a mobilehome owner about the purchase of their park by ROP, Inc.

I live in Windsor Mobile Country Club, a 336 unit low-income senior mobile home park located in Windsor, California. In May of this year, with two days' notice, we were informed the park was being sold to Resident Owned Parks, a supposed non-profit corporation headed by Maurice Priest. We were given two days' notice of a meeting ROP was calling with the residents, to be held on Memorial Day, 2007. Everyone was in shock as the park had been owned by the same person for over 30 years, and we had always understood that residents would have first right of refusal if he ever sold.

There were more surprises to come, as we soon learned. Our Board had neglected to renew our first right of refusal in several years. Although we are under a rent control ordinance, ROP believes that exceptions are apparently made for non-profits. Our rents were going to increase 45% and 72%, way above the CPI for this year of 3.4%. Our Town Council and the County of Sonoma were both in favor of the sale, as ROP indicated they had financial assistance all set up for those who needed it, and after 30 years they would deed the property to us for \$1.00.

First of all, most of us cannot afford the increase, and secondly, not many of us will be around in 30 years when ROP says they will turn the park over to a resident non-profit. Our ordinance requires a "meet and confer" to exchange pertinent documents, followed by arbitration in a court-like setting if the noticed rent increase exceeds 300% of the CPI, which this did.

At meet and confer, no documents were provided by ROP, and Maurice Priest indicated he had no intention of submitting them for our perusal. Several arbitration hearings were held, spanning several months. ROP continued to refuse to give us necessary documents, such as the sale agreement, appraisal, management contract (his wife runs the management company without a contract), etc. On

November 27th the decision from the arbitrator al-

lowed NO rent increases at this time. ROP had not followed the ordinance dictates and since there was no appraisal submitted, the arbitrator had no factual information that supported the huge rent increases.

We are a small group in this large park fighting this purchase. Some people have not responded to us due to coercion and intimidation on the part of Mr. Priest. At the very outset, he required all residents to sign a document supporting ROP's purchase of the park. If the resident chose not to sign, they were told they would not receive any financial assistance. Approximately 90% of the park did sign this document and ROP therefore claims to have the support of 90% of the residents. This form also included a statement that they agreed with the rent increases.

We feel we have been misled and lied to from the very beginning. As it turns out, there is not nearly enough financial assistance for the residents, although they are still being given erroneous figures as to what they will receive. And now we're told the financial assistance will come out of our rent checks, including those who will receive minimal assistance.

It is our belief that ROP is offering an inflated price for this park, causing all of us to bear the burden of ROP's huge mortgage. Not only do we pay for the park, we are also paying all closing costs, brokers fees, taxes etc. Where else can you buy a place like this without putting one cent into it? ROP apparently likes to target low-income senior communities like ours where a lot of the residents are easily intimidated. Beware of this organization!

They have now decided to repeat the legal process of arbitration and are starting all over again. Since Mr. Priest is an attorney, he does not bear the expenses it has been necessary for us to expend. He has said he will now comply with the requirements

of the ordinance (other than the increase). We are attempting to get support wherever we can.

In closing, you might enjoy this hypothetical ad one of our residents wrote, satirizing what ROP and Mr. Priest are doing:

ATTENTION BUSINESSMEN & NON-PROFIT ORGANIZATIONS

* We will help you acquire a \$23,000,000 property for nothing and allow you to raise the rent 72%.

* We will also allow you to pay yourself \$120,000 per year to oversee your investment.

* We will make it possible for you to borrow \$1,500,000 from the bank for agreeing to this sale, which you do not have to pay back as we will allow you to make your tenants pay for it by including these payments in a rent increase.

* We will allow you to have all of the tenants pay into a rental assistance fund and you will be the one, the only one to determine to whom these monies are dispensed.

* We will also allow you to increase their rents each year by 3%.

* You will not have to put up any money yourself.

* We will allow you to totally ignore our Low Income Ordinance.

*** THAT'S RIGHT, ALL OF THESE BENEFITS CAN BE YOURS FOR ZERO DOLLARS DOWN.**

This may sound ridiculous, but this is exactly what is happening.

Article written by Donna Helwig, resident of Windsor Mobile Country Club, Windsor, California

Editor's Comments

It is our goal to inform all mobilehome owners about issues that effect them. We have been writing about ROP, Inc. (Resident Owned Parks) since our September 2006 newsletter where we discussed the attempted purchase of Westwind MHP by ROP, Inc.

ROP, Inc purchased their first park, Niles East, in 2003. The head of ROP, Inc, Mr. Maurice Priest, has been a lobbyist for GSMOL over the last 26 years. He is also the corporate council of GSMOL and sits at GSMOL board meetings.

When you go to the ROP, Inc. website, the first thing you will see is: The only park purchase organization endorsed by Golden State Manufactured-Home Owners League. In fact past president Steve Gullage has recently been added to their board of directors.

This is not our first article concerning the proposed purchase of a mobilehome park by ROP, Inc. and it probably won't be the last.

If you have been getting THE VOICE, you know there are several other organizations helping residents purchase their parks—among them David Loop and Deane Sargent. Also the Millenium Group.

We ask these simple questions? How can advocate (Maurice Priest) be a 'park owner?' Isn't this a conflict of interest? And why are so many residents (Clear Lake, Grass Valley, Los Osos, Windsor) speaking out against the purchase of their park by ROP? Shouldn't the leadership of GSMOL investigate this issue? What does GSMOL get out of this relationship? Why doesn't GSMOL support other park purchase groups?

Coments from Gerry Lenhard on December 2007 THE VOICE

p 3 Many things wrong w/resident ideas. 1. In my 20 yrs of fighting/winning against park owners, I've NEVER seen a committee of residents, park reps/attorneys that have EVER reached a "legitimate" accord. EVERY ONE has failed. WMA teaches park owners to "NEVER NEGOTIATE, as Park owners OWN the property & you can move if you don't like it". 2 Already residents are asking for higher rents for new residents. They are splitting their own group in half to start, which the park owners will love. There is more than enough FACTUAL, DOCUMENTED EVIDENCE to prove the outrageous profits parks make now. Every park profit can be documented. No resident is experienced enough to sit down with a Cirillo, attorneys & politicians to negotiate. This "negotiation" has ALWAYS been the start of the park owner fight against rent control. You CANNOT show me a place in Ca. where it has worked for residents. No resident should go into a room with a Cirillo, attorneys &/or politicians, w/o their own attorney present. Attorneys are skilled/professional liars/negotiators who will quote Court Cases, Supreme Court cases etc, with lies etc & no resident can argue against them. Residents CANNOT EVER WIN in these "negotiations". Admitting to negotiate is admitting you are only half right at the start. This is how politicians avoid taking sides PUBLICLY, which is their intent. Helping residents is NOT their intent when doing this. Of over 100 cities that DO have rent control, not one that I know of "negotiated it", though many wasted 1,2 or 3 yrs "trying" before fighting.

p 4 Encinitas council hired attorneys to work with their Planning Commission to OK conversions. Obviously, there was/is no negotiating here. Residents can fight or take it.....period. Asking people to write to the council is to ask them to ask WMA for "fairness". Also, the overwhelming number of letters printed, support park owners. When this happened in Escondido, in early '88, I went to the paper & DEMANDED they print an

equal number of pro/con letters, or I'd get seniors to demonstrate their bias & have TV cameras to record it. Of course they denied it BUT they did print all letters sent by residents & sympathizers.

p 6, Bob is right. However, to simply tell people to fight doesn't work. We need to get people in EVERY park to form a HOA. We do this by going there & meeting in the clubhouse or resident homes, to put backbone into those willing to fight. We must be ready to have an attorney able to immediately contact mgrs/parks who try to deny resident their MRL right to organize, use the clubhouse & HAVE GUEST SPEAKERS. Guest speakers should be able to put down ANY mgr who comes & makes ANY threats. Doing this IN FRONT OF RESIDENTS, gives them spirit & backbone. We MUST PROVE "BULLIES DON'T WIN HERE".

P 7 No resident can meet with park owners/mgrs/attorneys, w/o their own attorney present. We can/should provide this. It is illegal for anyone but residents to elect/appoint who will represent them. This is ridiculous to even contemplate. A letter from an attorney WILL end this.

p 8 You give instructions on how to get transcripts. I always got videos. I then took them to parks & or their leaders to watch. When residents see people like themselves actually doing something, it give them a little motivation to activate/organize etc.

p 8-9, park mgr licensing? I personally think this is a waste of time/money. GSMOL has wasted a lot of time/\$\$ the past couple yrs & WMA must just keep laughing. Licensed mgrs will do ZERO, as all present mgrs will be grandfathered & ANY IDIOT will be able to pass the test. WMA attorneys HAVE BEEN traveling the state every yr the past 10 yrs . THEY "TAUGHT" THESE MGRS WHAT THEY'RE DOING NOW. While we (GSMOL) have been busy the past 4-5 yrs trying

to get this dumb thing passed, which WILL NOT HELP US, WMA has successfully amended many of the MRL's, which have SERIOUSLY WEAKENED "OUR" MRL's. We need to stop whining, WAITING (for BIASED legislators) & start DEMANDING the rights WE ALREADY STILL HAVE. I'll BET: Every lawsuit we WIN, will get us ANOTHER 1000 members.

P 10, Margo Iverson; I believe I can help these people. If you have them contact me, I'll try. I'll go out & speak to them if they wish. They have a good case & need an atty which I feel ELTH will help.

P12, CARA; Bob is to be congratulated. Ten yrs

ago, I got appointed to the Congress of CA. Seniors (CCS) Board of Dir & was successful getting Rosemary Tomai to get an appointee to their legislative committee. They meet every month in Sacramento & as a GROUP, lobby for seniors. Bob can/should be able to get a MH person on CARA's Bd also. I intend to contact their So. Cal. Rep also to try & get involved with them.

Editor's Note: For those who do not know Gerry, he ran against Steve Gullage for GSMOL President in 1998. Gerry is very knowledgeable about mobilehome issues and is our 'go to guy.' He has terrific input. In my opinion if he had become GSMOL President in 1998, our lives today would have been much better!

Jerry:

What about lobbying for a state "legal fund" funded \$7.00 per year per space. This would mean \$5 million in a pot. Let the park owners contribute 50%. If they say they are abiding by the law, this will help prove it. One problem: who would administer it, certainly not the state of California - hopefully a wonderful non-profit like CoMO-CAL!

Frank

Good idea, But; if only 10% join (normal) that'd be about \$500K. THEN: We'd have to hire an attorney to draw up papers, after several meetings etc. After all this (expense), then how would we handle if ONE person in a park wanted to sue & the problem affects the whole park? There are a thousand other combinations & it would be a nightmare. Just look at GSMOL's ELF debacle. I have an idea that I passed by noted resident attorney, Richard Singer, several yrs ago. Because it was so hard to get residents to sue (I CAN'T AFFORD IT) etc. I asked "if we could get "INVESTORS" to invest 5-10K or more and the residents would sign over their share of the judgement(s), the investors might be able to double their

investment (ala park owner) in a year or less & the residents would get their problem solved at NO COST to them. Singer said it would be legal. I feel that in little time, many investors "might be attorneys". Park owners flagrantly violate the law as we know, ONLY because residents can't (won't) sue. My experience in Escondido is that residents win over 90% of their suits, mainly because park owners ARE COMFORTABLE ignoring the law. Further, I'd hire an attorney tomorrow, to write GSMOL & demand an accounting of every penny donated to ELF. All we need is ONE resident that donated, to sign the letter and if GSMOL does not come clean, the resident sues for him/herself & several hundred (thousand?) does. I will be happy to be the 1st to donate to this cause. I can't think of anything that will WAKE UP residents statewide and get their support (\$\$\$ memberships?). However, it's easy to talk. I suggest talking to an attorney asap about both of the above. I'd be happy to meet with anyone/anyplace to further discuss this. However, it must be a "serious" discussion with an attorney present, or you might do it alone. Go ahead Frank: "MAKE MY DAY" lol.....

Jerry Lenhard, Escondido

The L.A. Mobile Home Park Task Force - Suggestions for the 'GUIDE.'

History & Preface:

The L.A. Task Force publishes a GUIDE regarding the rent stabilization ordinance here in Los Angeles. The Rent Adjustment Commission oversees the Task Force. RAC has requested that Task Force Members make recommendations to update the Guide. The following email was sent to RAC on November 30, 2007. If you would like a copy of the guide, it is available online at

<http://www.lacity.org/LAHD/mobilehm.pdf>

E-mail from Frank Wodley, MHPTF member:

I do not feel the underlined sections below represent the way the task force is run. There is no full discussion of issues. Many mobilehome owner participants are not subject matter experts, but are simply owners of mobilehomes. The RAC does not ask information of potential task force members concerning issues in mobilehome parks; therefore has NO KNOWLEDGE of their qualifications.

The Mobile Home Park Task Force (MHPTF) is an advisory group established by the Rent Adjustment Commission (RAC) in order to provide a forum which allows full discussion of issues in mobilehome parks. The members of the Mobile Home Park Task Force are mobilehome owners, mobilehome park owners, and industry representatives who meet to discuss and resolve issues and provide advice and recommendations to the Rent Adjustment Commission (RAC). The members of the Task Force are volunteers who serve as subject matter experts in an advisory capacity to the Rent Adjustment Commission. Their role is to provide feedback to the RAC for changes in policies or procedures. The Task Force is also a place where members of the Task Force can discuss issues and provide referrals to appropriate agencies which can assist with problem resolution. Task Force members are not City staff. Issues to be re-

ferred to the Task Force or to the Rent Adjustment Commission should be forwarded through the Rent Adjustment Commission support staff, which coordinates the meetings and activities of the Task Force. The Task Force meetings are held to provide an open exchange of information between Task Force members and representatives of the City.

Other items, such as commonly asked questions

I believe these refer to apartment buildings and less to mobilehome parks. Although this might be what the RSO in Los Angeles states, I feel the seven reasons in the MRL (798.56) are the ones that should apply. Relocation Assistance: This again appears to really apply to apartment residents, and not to mobilehome owners. Is there no conversion ordinance in the City of Los Angeles? Mobilehome owners can contact CoMO-CAL locally at 1-800-929-6061 to obtain a complimentary copy of the current Mobilehome Residency Law. Pilot Program: Issues brought by owners of mobilehomes should be referred to CoMO-CAL, an advocacy group for mobilehome owners. CMRAA has no representatives in L.A. County and GSMOL's focus is on new legislation in Sacramento. This is what we do – help owners with issues. And we are local. They can contact us through email at comocal@yahoo.com or calling 818-886-6479. At the very least, we should be notified when there is an issue.

Submitted this November 30, 2007 by

Frank A. Wodley LAMHPTF Member & CoMO-CAL President

P.S. Let me further state this task force, in my opinion, does little to help the owners of mobilehomes covered by the Los Angeles RSO. The mobilehome owner participants DO NOT represent anyone in the City (except myself and perhaps Valerie Montoya of GSMOL). And I believe I am the only one who does anything to disseminate

information from task force meetings to mobile-home owners. I have and will continue to write about task force meetings in our monthly newsletter.

The make up of the task force is really a joke. The WMA representatives and park owner are professionals – this is their business, they are well versed on the laws and really are subject matter experts. On the other hand, this task force does not allow representatives of mobilehome owners – as attorneys that might represent us. Why not? At least then their participation would level the playing

field. The current participants do not, in most cases, have any expertise in these issues.

I've made my thoughts known also about 'no minutes or no recordings' in meetings. I've also asked that task force members be appraised what is presented to the RAC. This hasn't happened.

This task force could be making a difference in the lives of mobilehome owners. It could be used to discuss real issues in mobilehome parks. Of course these are not issues with the RSO, but what better forum.

Further Comments about the MHPTF in Los Angeles by Frank Wodley

In my opinion, this Task Force does not serve mobile-home owners. 6,600 spaces (approximately 15,000 residents) are covered by the Rent Stabilization Ordinance here in Los Angeles. The L.A. Housing Department oversees the Ordinance through the Rent Adjustment Commission. The Task Force was created about 20 years ago by RAC and the GUIDE was published to inform about the RSO.

I have been a Task Force member now for three years. In that time it has become obvious that the Task Force and the Guide only serves the LA Housing Department and the park owners. In fact LAHD often gloats that other municipalities across the country are envious of the GUIDE. So much "smoke and mirrors."

So what is wrong? First of all, there is no "full discussion" of issues in our parks. In fact quite the opposite.

There are NO MINUTES, no records of any task force meetings. They do not want the meetings recorded. Of course task force members can suggest agenda items, but RAC ultimately controls what is placed on the agenda for each meeting.

What about the 'make up' of the task force? Who serve on it? Let's just focus on the mobilehome own-

ers side of this task force.

In my opinion, the LAHD doesn't want anyone who is a professional, like an attorney for an advocacy group. The LAHD doesn't want advocates, like myself, who really represent mobilehome owners, who have studied issues in park and who report about the task force to others. In fact the majority of task force members come and go, perhaps taking a note or two. Ultimately they do not report to anyone, but simply participate when they want and then go home.

The LAHD does not even have a mailing list for the 6600 spaces covered by the RSO. And although they claim the GUIDE is terrific, very few if any of these residents see or even know it exists.

So why is this happening? Simple! Mobilehome owners as a rule don't care. They don't want to spend the time to be involved. The park owners on the other hand do care. This is their business! Three talented, professional WMA people sit on this task force: David Evans, Clint Lau, and Bill Scheinwirth. These guys are smart and up to date on all issues.

What do I recommend? Get your head out of the sand and take an active interest in groups like this task force. After all it affects you!

Suggestions and Comments from Steve Molski,
Chula Vista CoMO-CAL Representative

I cannot stress the importance of getting the message out that , We must make mobile home owners (tenants) aware that the "new "Prop 90 is a real threat to our way of life and affordable living!

I would like to make this suggestion! Every member of CoMO-CAL should earnestly try to get 1 (ONE) new member each month and then urge all members to start to make all local and statewide politicians aware of the seriousness of stopping this version of Prop 90. **One effective strategy is give a copy of the Whisper or the Voice to every politician in your town or city starting with the mayor and council members, not their aids!** If this bill is allowed to pass it would (in my opinion) result in catastrophic financial losses for tenants and create homelessness to those mobile home owners who are living on a small monthly income.

Park owners have been crying "poor mouth" for many years that they are losing money because they can't raise the rents enough to satisfy their greed. They forget that when they "screw up a sale of a mobile home", they still collect the space rent each of every month, unlike an apartment that has no rental income when it's empty!

I am also available (on a limited basis) to speak to mobile home park tenants in the San Diego area. I have had the pleasure of speaking to numerous groups and distributing CoMO-CAL LITERATURE IN THE PAST.

Steve Molski, Chula Vista

COMOCAL FOR U

When you get the letter for the rent increase Who you going to call for relief - COMOCAL.

When park managers say your breaking their rules Who you going to call COMOCAL that's all.

When eviction notices are posted and you have sought legal relief - Who you going to call none other than COMOCAL.

Just remember this. We stand ready to help you as we also live in mobile homes. We work for you and help right the wrongs. Why don't you help us and join COMOCAL?

Stop and think what you could lose - your home, your investment not to mention your shoes. So when the clouds darken and there is nothing left to do - call COMOCAL they will know what to say and do.

I have tried to put my point across by giving you this little poem for thought. Don't be late, don't temp your fate, be informed and be pro-active as COMOCAL is an advocate group that is super dandy.

By Bob Hites, CoMO-CAL VP

Let's Start A Homeowners Association

All we need is four people... President, Vice President, Secretary, and Treasurer. Without an organization, we have NO VOICE and can not defend ourselves. We must organize and stand tall as residents. No one is going to do it for us.

The managers work for the land owner and will do anything to save their job. We need a Homeowners Association to help save our Homes!!!! A Homeowner Association is just that... An Association that is for Homeowners Only!!! Any problems you may have, a Homeowners Association will do its best to solve the problem without gossiping to your neighbors.

If we register our Homeowners Association, and notify management and the park owner of that fact, the park owner is required to let us know if and when he lists the park for sale. This does not mean we have "first refusal" to purchase the park, but we do have a foot in the door. And ultimately the only real way to handle our problems in a rental park is to purchase it.

This Mobile Homeowners Association will run on donations only. No dues!! Everyone will be able to get the full benefit of the Homeowners Association.

Do you know that our land owner is a member of

~~Western Manufactured Housing Communities~~

Association.? Aka: W.M.A. The W.M.A. is an association for land owners only and has attorneys that our manager calls when they need to take legal action against you. They advise park owners, their membership, how to maximize their profits from a rental mobilehome park. They network parks across the state of California.

You should join, Coalition of Mobile Home Owners - California Aka: COMO-CAL. CoMO-CAL publishes a monthly newsletter, THE VOICE, which keeps us up to date on issues important to us. They also have a list of attorneys that can help you when you get that unexpected legal action against you. And they are available 7 days a week to give advice and offer us many other services. Join their family – their leaders are mobilehome owners like us and experience issues like we do. Do not go it alone!

If You Would Like To Be A Board Member and be the first founders of our Mobile Homeowners Association. Please drop off this information in my mail box.

NAME: SITE # Phone # E Mail

I will be getting in touch with all of you very soon.

Let's come together and help make our park a Happy Homeowners Association park.

Editors Note:

This was a recent flier sent out by a mobilehome owner to other residents in the park. This is what you need to do! We can't fight without organization. I'm sorry, I wish there were another way, but there simply is not. I know it takes time and effort. But in the long run you will benefit. These groups are a way to get to know your neighbors. They don't have to be all work. In fact they can be fun. Have some "recreational" time in them. Have a pot-luck, play bingo,

And remember, CoMO-CAL will support your efforts. Just let us know what you need. We will print fliers and other materials, usually free of charge. Organization is very important.

The 55 plus Rule - Answers (sent to CoMO-CAL by Milt Burdick)

Housing Older Persons Act (HOPA) December 10, 2007

The HOPA act of 1995 Final Rule can be found in http://www.hud.gov/offices/fheo/library/hopa_final.pdf

(This WEB site can answer most questions on the 55plus rules)

Senior Housing Exemption

Although the FHAct was amended in 1988 to prohibit discrimination on the basis of disability and familial status, Congress intended to preserve housing specifically designed to meet the needs of senior citizens. Housing that meets the FHAct definition of "housing for older persons" is **exempt** from the law's familial status requirements provided that:

- HUD has determined that the **dwelling** (Mobilehome Park) is **specifically** designed for and **occupied by elderly persons** under a Federal, State or local government program. See the below section of the Health and Safety Code for additional rules for MHPs in California.

Health and Safety Code Section 18300

(g) This part **shall not prevent** local authorities of any city, county, or city and county, within the reasonable exercise of their police powers, from doing any of the following:

(1) From establishing, subject to the requirements of Sections 65852.3 and 65852.7 of the Government Code, certain zones for manufactured homes, mobilehomes, and mobilehome parks within the city, county, or city and county, or establishing types of uses and locations, including **family** mobilehome parks, **senior** mobilehome parks, **mobilehome condominiums**, mobilehome subdivisions, or mobilehome planned unit developments within the city, county, or city and county, as defined in the zoning ordinance, or from adopting rules and **regulations by ordi**

nance or resolution prescribing park perimeter

walls or enclosures on public street frontage, signs, access, and vehicle parking or from prescribing the prohibition of certain uses for MHPs

There is two programs for Older Persons:

- (1) 62 Plus (see below)
- (2) 55 plus with a minimum 80/20 ratio (see below)
- (3) Family park---No HOPA rules

24 CFR , Subpart E Section 100.303 62 or over housing.

- It is occupied solely by persons **who are 62 or older or**

The provisions regarding family status in this part shall not apply to housing intended for, and solely occupied by, **persons 62 years of age or older**. Housing satisfies the requirements of this section even though:

- (I) There are persons residing in such housing on September 13, 1988 who are under 62 years of age, provided that all new occupants are persons 62 years of age or older;
 - (2) There are unoccupied units, provided that such units are reserved for occupancy by persons 62 years of age or over;
 - (3) There are units occupied by employees of the housing (and family members residing in the same unit) who are under 62 years of age provided they perform substantial duties directly related to the management or maintenance of the housing.
- (b) The following examples illustrate the application of paragraph (a) of this section:

Example (1): John and Mary buy a Mobilehome/Manufactured in a Mobilehome Park complex which is an elderly housing complex **operated for persons 62** years of age or older. John Is 62 years of age. Mary is 59

years of age. If the Mobilehome Park wishes to

retain its “62 or over” exemption it must refuse to rent to John and Mary because Mary is under 62 years of age. However, if the Mobilehome park does rent to John and Mary. It might qualify for the "55" or over exemption in 100.304.

Example (2): Blueberry Mobilehome community has 100 spaces. On September 13, 1988, 15 spaces were vacant and 35 spaces were occupied with at least one person who is under 62 years of age. The remaining 50 spaces were occupied by persons who were all 62 years of age or older. Blueberry Mobilehome Park can qualify for the ‘62 or over’ exemption as long as all spaces that were occupied after September 13, 1988 are occupied by persons who were 62 years of age or older. The people under 62 in the 35 spaces previously described need not be required to leave for Blueberry MHP to qualify for the ‘62 or over’ exemption. But, once any of these spaces sell or becomes vacant the new Homeowners must be 62 or older.

What these sections do not tell you is that the decision to remain 55 plus or 62 plus is up to the Park Owner or what may or may not be in your lease or rental agreement and how the Park is presented to you and the public. It must be clearly stated that this Mobilehome Park/Manufactured Home is one of the three;

(See HOPA rules above for detail information on 55 plus Park)

Senior Park all Homeowners 62 Plus

"55" plus Park (meet the requirements as stated in the HOPA

All age or Family Park

24 CFR , Subpart E Section 100.304 Housing for persons who are 55 years of age or older.

It houses at least one person **who is 55 or older** in at least 80 percent of the occupied units,

and adheres to a policy that demonstrates intent to house persons who are 55 or older.

Housing that satisfies the legal definition of senior housing or housing for older persons described above, can legally exclude families with children.

Once a Mobilehome/Manufactured Home is a Family Park (all age) the park would be subject to a violation of the Fair Housing Act and cannot discriminate against Families with children under 18.

A Park Owner can go from 62 + to a 55+ to a Family Park, but a park may not reverse the process and go from Family to 55+ or 62 + (Senior Park).

So----if you are a 55+ or 62 + park you had better make sure the park management or and Owner comply with the requirements of HOPA Act. HOPA requires a park owner to survey the 80/20 mix every two years and maintain the survey at the local level for as long as the park is a 55+ park. It is also permissible in a 55+ park to have a rule that all residents must be 55+.

Park Owners are not required to ask for a vote from Homeowners as to the type of park they wish to have-- although some park owners do---it is not a requirement.

The 55+ Park has many variables, please refer to the 44 Questions on the below WEB page for details. This information should help answer questions or confuse you altogether.

Go to this Web page for details; http://www.hud.gov/offices/ftheo/library/hopa_final.pdf This site has 44 questions and answers on 55+ parks.

Milt

milters2000@yahoo.com

CA MOBILEHOME PARK RENT CONTROL ORDINANCES

Recently I emailed Mr. John Tennyson (john.tennyson@sen.ca.gov) asking for a list of cities and counties that have a Rent Stabilization Ordinance. The following is my email and his response. The draft list is published on pages 26-28. The response of Mr. Tennyson is in the BLUE in the text of my email.

Hi Mr. Tennyson:

Do you have a current list of cities and counties that have rent stabilization in the state of California? If so, would you please forward a copy to me. I'd like to publish it in our newsletter.

Here is a draft list we worked on in 2004 – based on older GSMOL lists from the '90's and some spot survey work done in 2003-04, which lists 105 jurisdictions with mh rent control. You can publish if you like but i cannot vouchsafe for its accuracy. I believe the list is about 95% accurate as far as listing the cities and counties that have some form of mobilehome rent control or review, but the number of parks and spaces under rent control in each jurisdiction may be off. We do not have the staff resources to re-survey all the cities and counties to assure the accuracy of the actual number of parks and spaces and the details of each ordinance. Senator Dunn had legislation in 2001-02 to require the HCD ombudsman to – among other mobilehome stats or info - do such a survey – but the bill was not favorably received and died in the legislature. With a \$14 billion deficit projected this year, the legisalature will be looking at cuts, not additional programs or functions, so i don't see any help on the horizon in terms of a new survey. In terms of updating the number of cities or counties per se, recently I understand the city of Modesto agreed to some kind of rent accord – though not rent control - and the city of Fillmore is considering rent control. ..so those two areas should be monitored.

What percent of mobilehome owners in the state are covered by a rent stabilization ordinance?

We don't really know. It may be impossible to get an accurate count of the actual number of spaces under local rent control because over time with on-going re-sales (in vacancy decontrol jurisdictions) and long-term lease signings that affect whether a space stays under rent control or not under MRL sec. 798.17, the numbers are not static. There have also been some parks closed over the years that might appear in the older '90's listings. There may be some jurisdictions with a pure mobilehome decontrol rent control where – due to original homeowners moving or passing on, there may be few spaces actually under their rent control ordinance anymore. We also don't know how many people live on each space although HCD uses a statewide average factor of 1.9 x the # of spaces statewide (not just rent control parks) – to get an estimated number of residents actually living in the parks. I'm not sure using the 1.9 factor is accurate in senior parks where there is often only 1 person per space.

What percent of these ordinances have a provision for a cap on rent increases when a home is sold?

We don't really know – maybe half. You are probably talking about vacancy control rent control or par-

tial decontrol ordinances – we don't have a figure on this – i have been told that under half of the ordinances are vacancy control, and under half are vacancy full decontrol, and the rest – maybe 25 or 30 are partial decontrol. The ordinances vary all over the board. The vacancy control jurisdictions would have a cap – some of the partial decontrol ordinances may also cap the rent but only in the sense of letting the rent go to market on a resale and then reapplying the ordinance to new rent increases thereafter. Full decontrol obviously would not have a cap.

Any idea how many cities have a conversion ordinance?

If you are talking about condo conversion, we don't know – but we suspect many do not and that is the reason why some are putting moratoriums on condo conversion where there are proposed conversions – to give them time to enact something. This was really not an issue anyone at the local level really thought was a problem until the palm springs case a few years ago.

In your opinion, what are the top three threats to mobilehome owners today? – in the next 5 years:

Park gentrification and loss of affordability (rising rents, fees)

Failure to maintain parks – some to the extent that they are “slumlord” parks

Park closure and conversion to other land uses (redevelopment, commercial uses, hotels, stick-built condos, etc.)

Mr. John Tennyson (john.tennyson@sen.ca.gov)

Additional Information on Rent Control Ordinances

Thanks to our network, we found another source for a listing of Cities and Counties that have rent control. This list is found on Pages 29-34. It gives us much more information about each ordinance. You can find the original at the following location on the web:

<http://www.ci.banning.ca.us/archives/48/Appendix%201%20-%2020arentcontroljurisdictionmodified2.pdf>

We thank Ken Creason and David Roegner for this link.

Jurisdiction	Parks in Juris.*	MH Spaces in Juris.*
Alameda County	22	712
American Canyon	6	800
Arroyo Grande	5	498
Azusa	6	431
Beaumont	8	386
Benicia	4	1,008
Calistoga	5	569
Camarillo	4	474
Campbell	2	242
Capitola	8	623
Carpenteria	7	866
Carson	28	2,565
Cathedral City	10	1,024
Chino	5	554
Chula Vista	32	3,503
Cloverdale	4	165
Clovis	6	582
Colton	8	916
Concord	11	1,412
Cotati	3	106
Daly City	1	501
East Palo Alto	4	274
Escondido	30	3,585
Fairfield	9	883
Fontana	13	684
Fremont	3	732
Fresno	30	3,942
Gardena	27	1,156
Gilroy	4	336
Glendora	13	791
Hayward	16	2,160
Healdsburg	3	75
Hemet	20	2,805

Hollister	1	235
Indio	6	528
Lancaster	27	2,584
La Verne	8	1,762
Lompoc	7	654
Los Angeles City	62	5,885
Los Gatos	2	137
Malibu	2	527
Merced	3	574
Milpitas	4	556
Montclair	8	620
Moreno Valley	7	809
Morgan Hill	9	875
Morro Bay	15	641
Oakland	3	49
Oceanside	20	2,401
Ontario	7	1,748
Oxnard	25	2,780
Pacifica	1	93
Palmdale	16	2,302
Palm Desert	6	1,061
Palm Springs	14	2,242
Petaluma	9	877
Pismo Beach	2	412
Pleasanton	4	304
Pomona	19	1,836
Rancho Mirage	6	882
Redlands	8	684
Rialto	12	1,425
Riverside County	124	12,376
Rocklin	4	423
Rohnert Park	5	1,314

Salinas	11	1,437
San Bernardino	16	1,467
San Francisco	1	118
San Jose	58	10,661
San Juan Capistrano	7	1,209
San Luis Obispo City	15	1,551
San Luis Obispo County	40	2,408
San Marcos	17	3,216
San Rafael	2	442
Santa Barbara City	16	1,487
Santa Barbara County	15	960
Santa Clarita	15	2,070
Santa Cruz City	23	2,025
Santa Cruz County	36	3,585
Santa Monica	3	286
Santa Paula	9	771
Santa Rosa	40	3,759
Santee	12	2,463
Scotts Valley	5	529
Sebastopol	8	86
Simi Valley	6	807
Sonoma City	10	111
Sonoma County	51	2,677
Thousand Oaks	8	897
Tuolumne County	37	1,638
Union City	3	918
Upland	6	827
Vacaville	12	1,113
Vallejo	17	1,151
Ventura City	18	852
Ventura County	24	2,015
Watsonville	5	691
West Covina	2	265
Windsor	4	567
Woodland	6	637
Yucaipa	42	4,567

Alameda County	12/1965	22 / 712	Automatic up to 5%	YES	Ordinance	
Arroyo Grande	05/1986	5 / 498	Lesser of 8% or 75% CPI	YES	1-1-3	Ordinance
Azusa	01/1992	6 / 548	8%/75% of CPI	NO	Ordinance	
Beaumont	10/1984	8 / 459	Established by Hearing	NO	2-2-1	Ordinance
Benicia	09/1978	4 / 317	Established by Hearing	NO	2-2-1	Ordinance
Calistoga	08/1984	5 / 569	Established by Hearing	NO	1-1-3	Ordinance
Camarillo	12/1981	4 / 747	Established by Hearing	NO	1-1-3	Ordinance
Capitola	11/1979	8 / 623	Lesser of 5% or 60% CPI	YES	City Council	Ordinance
Carpinteria	03/1982	7 / 866	75% of CPI	YES	Ordinance	
Carson	08/1979	28 / 2565	Set by Board	YES	2-2-3	Ordinance
Cathedral City	03/1983	10 / 2064	75% of CPI	YES	0-0-5	Initiative
Chino	08/1983	5 / 554	66% of CPI.	NO	1-1-3	Ordinance
Cloverdale	08/1986	4 / 165	Set by Board	YES to 10%	0-0-3	Ordinance
Clovis	09/1978	6 / 582	Rent Re-view Commission	NO	1-1-3	Ordinance
Colton	06/1990	8 / 916	60% of CPI	NO	Ordinance	
Cotati	11/1979	3 / 106	Set by Board	YES	Initiative	
Daly City	06/1980	1 / 501	Set by Board	NO	1-1-3	Ordinance

	11/1984	4 / 310	50% of CPI	YES	1-1-3	Initiative
East Palo	11/1983	4 / 274	Set by	YES	Initiative	
Escondido	06/1988	30 / 3585	Set by	YES	City Council	Initiative
Fairfield	11/1984	9 / 883	Set by	NO	1-1-3	Ordinance
Fontana	10/1988	10 / 684	7% unless	NO	Rent Admin.	Ordinance
Fremont	02/1987	3 / 732	Greater \$10	YES	Ordinance	
Fresno	12/1987	30 / 3942	Rent Re- view Com- mission	YES	1-1-3	Ordinance
Gardena	04/1987	27 / 1156	Rent Mediat	NO	3-3-3	Ordinance
Gilroy	05/1987	4 / 336	Lesser of 5% or 80% CPI	NO	NONE	Ordinance
Grover City	12/1987	3 / 140	Graduated	NO	Ordinance	
Hawthorne	06/1979	11 / 327	Rent Media-	NO		
Hayward	02/1980	16 / 2160	Lesser of 3% or 60% CPI to 8%	YES	1-1-3	Ordinance
Hemet	05/1979	20 / 2805	Set by	NO	1-1-3	Initiative
Hollister	05/1989	1 / 235	Lesser of 8% or 80% CPI	NO	1-1-3	Ordinance
Indio	03/1984	6 / 528	75% of CPI	NO	Initiative	
Lancaster	03/1985	27 / 2584	Set by	YES	1-1-3	Initiative

	10/1984	8 / 1762	Lesser of 7% or CPI	NO	Rent Admin.	Ordinance
Lompoc	12/1983	7 / 654	75% of CPI	NO	2-2-1	Ordinance
Los Ange-	08/1978	62 / 5885	NO	Determnd	Ordinance	
Los Ange- les County	03/1988	ALL / ALL	Lesser of 75% CPI or 8 %	NO	0-0-5	Ordinance
Los Gatos	10/1980	2 / 137	100% CPI	\$25 or aver	Ordinance	
Malibu	12/1991	2 / 527	75% of CPI	To 10%	Ordinance	
Merced	05/1982	3 / 574	Set by	NO	2-2-3	Ordinance
Milpitas	08/1992	50% of CPI	Aver. Rent	City Council	Ordinance	
Montclair	11/1985	8 / 620	Lesser of 6% or 60% CPI	NO	2-2-1	Ordinance
Moreno Val- ley	07/1987	7 / 809	Lesser of 5% or 65% CPI	With limit	Park or Resident	Ordinance
Morgan Hill	03/1983	9 / 875	75% of CPI	YES	1-1-3	Ordinance
Morro Bay	08/1986	15 / 641	75% of CPI	5% Cap	0-0-5	Ordinance
Napa	12/1983	8%	1-1-5	Ordinance		
Oakland	09/1980	3 / 49	Automatic	NO	Ordinance	
Oceanside	05/1982	20 / 2401	Lesser of	YES	0-0-5	Ordinance
Oxnard	03/1983	25 / 2780	25% cap	Ordinance		

	09/1991	1 / 93	75% of CPI	NO	NONE	Ordinance
Palmdale	10/1985	15 / 1455	CPI or Arb	NO	1-1-3	Ordinance
Palm De-	04/1980	4 / 676	75% of CPI	YES	5 PICKED	Ordinance
Palm	04/1980	14 / 2242	75% of CPI	YES	0-0-5	Ordinance
Paramount	07/1987	100% of	NO	2-2-0	Ordinance	
Pismo	04/1981	2 / 412	6%/75% of	NO	Ordinance	
Pleasanton	02/1993	4 /	100% of	To 25% in 5	2-2-1	Ordinance
Pomona	05/1992	19 / 1836	By Media-	NO	Ordinance	
Rancho Mi-	07/1982	6 / 882	75% of CPI	Aver Rent	1-1-5	Initiative
Redlands	12/1982	8 / 684	Less of 6-9% or 75% CPI	NO	0-0-3	Ordinance
Riata	03/1992	12 / 1425	Rent Review Commission	YES	0-0-5	Ordinance
Riverside	08/1983	124 / 12376	100% of	NO	2-2-1	Ordinance
Rocklin	05/1982	3 / 384	Guaranteed	NO	1 AND UP	Ordinance
Rohnert	12/1987	5 / 1314	75% of CPI	YES	5	Initiative
Salinas	10/1990	11 / 1437	75% of CPI	NO	Ordinance	
San Bernardino	09/1984	16 / 1487	Lesser of 4% or 75% CPI	NO	NONE	Ordina

San Buena	01/1986	7% or 75% CPI	15% or \$35	0-0-5	Ordinance	
San Fran-	06/1970	1 / 56	60% of CPI	YES	Ordinance	
San Jose	07/1985	70 / 11435	3-7% or	YES	NONE	Ordinance
San Juan	03/1979	7 / 1209	100% CPI	YES	2-2-1	Ordinance
San Luis Obispo City	06/1988	15 / 1551	Graduated CPI w 9% cap	NO	Initiative	
San Luis Obispo County	06/1988	40 / 2408	60% CPI	NO	1-1-30-0-3	Initiative
San Marcos	11/1980	17 / 3216	CPI or NOI	With limit	Ordinance	
San Rafael	04/1990	1 / 397	3-7.5% of	YES	NONE	Ordinance
Santa Bar-	09/1984	15 / 950	75% CPI	10% 1-5 yrs	NONE	Ordinance
Santa	12/1990	15 / 2070	100% CPI w	NO	Ordinance	
Santa Cruz	01/1979	36 / 2212	50% of CPI	YES	Ordinance	
Santa	04/1979	3 / 283	Set by	NO	Initiative	
Santa Paula	06/1984	9 / 838	Lesser of 7% or 75% CPI	10% 1-3 yrs	0-0-3	Ordinance
Scotts Val-	11/1980	5 / 527	75% of CPI	YES	0-0-5	Ordinance

Simi Valley	03/1983	6 / 354	Rent Review Commission	NO	Ordinance	
Sonoma	06/1987	51 / 3736	100% of	YES	Ordinance	
Thousand Oaks	07/1980	8 / 897	Less of 3-7% or 75% CPI	YES	Ordinance	
Union City	05/1980	3 / 918	7% or 90%	YES	Ordinance	
Upland	12/1985	6 / 866	80% of CPI	7% CAP	Ordinance	
Vacaville	12/1977	12 / 1126	Graduated	NO	0-0-3	Ordinance
Vallejo	02/1982	17 / 1990	5%	NO	1-1-3	Ordinance
Ventura City	06/1981	18 / 1087	Lesser of 7% or 75% CPI	Yes to 15%	Ordinance	
Ventura	02/1983	24 / 1421	Automatic	Yes to 15%	0-0-3	Ordinance
Watsonville	03/1989	5 / 717	70% of CPI	NO	Ordinance	
West Covina	09/1984	2 / 265	Less of 5-9% or 100% CPI	NO	Human Resources	Ordinance
Yucaipa	12/1990	42 / 4425	66.67% OF-	5% CAP	Ordinance	

CPI: Consumer Price Index. **Vacancy Control:** Yes indicates that there are limits as to how much rents can be increased for new residents. **Comp of Rent Comm/Board:** Refers to the composition of the Rent Commission or Rent Review Board. Thus a "1-1-5" would indicate representation as follows: 1 Park Owner, 1 Park Resident. 5 Neutral Parties. **Adopted by:** Most jurisdictions adopted rent stabilization as a city ordinance (city code). Some jurisdictions adopted the rent restrictions by local initiative (a vote by local residents). **NOTE:** The information and statistics used in this chart was taken from a document entitled Appendix B – Actual Source Unknown at present 12/06/2005 - **DRAFT**

An Open Letter to the California Association of Realtors

Dear Jennifer Svec:

I am a past member of the C.A.R. and Board of Realtors here in Santa Barbara.

I have been watching the actions of the C.A.R. group and do not approve of their [efforts to re-move](#) rent control. Likewise, I disapprove of your efforts to make it easier for park owners to force the residents to convert their property to condo status.

Your organization needs to be aware that there is a huge amount of equity at risk regarding these matters. For example, 3 years ago we purchased our 1964 mobile home for \$225,000. We have invested another \$25,000 fixing it up. Our mobile home park is under rent control and has been for the past 18 years. If rent control was weakened or destroyed by the Jarvis Initiative or by AB 1309, our equity would be severely reduced. Without bills such as SB 900, we could also lose our rent control by means of forced conversions. When vacancy control or rent control was lost in Santa Cruz and in Santa Barbara, the mobile home equities fell to near \$0. Seniors were especially devastated.

There are 324 homes in our park with an average value of \$250,000, or approx. \$80 million for all the homes. The land under these homes with the accompanying amenities has been appraised at \$40 million. The average home turns over approx. every 7-10 years, as the owners die or move to assisted living in most cases. The resulting value to Realtors assisting in the sale of these homes is immense; whereas the revenue from the owners of the land is \$0 over the last 43 years. It baffles me that C.A.R. would take a position that basically “shoots themselves in the foot” where they would help destroy our rent control thereby destroying our equity which could lead to the re-

sult of the residents blaming C.A.R. for endorsing the actions that led to this. Even if it didn't result in a negative “fall guy blaming” of C.A.R. it would mean much less revenue for agents trying to sell a “don't want it” market in mobile homes. Assuming history repeats itself and the values go from \$200,000 to \$20,000 that equates into 1/10 of the income realtors would have from the sale of these homes. You are supporting the wrong group when you think about the results of your actions.

Articles in major newspapers will carry the stories if rent control is lost. GSMOL and COMOCAL, which represent mobile home residents statewide, will likewise circulate the news. The relatives and friends of these residents will also be informed of C.A.R.'s actions. Many people will lay blame on C.A.R. for its role in the displacement of tens of thousands of seniors and disabled mobile home residents throughout Calif.

When I was a landlord, I did not like the idea of rent control, but this is not the same situation. Mobile home parks have been under rent control for a very long time. The park owners have invested in this scenario regardless, because it has a safe and sure return that increases every year. Rent-controlled mobile homes are also the largest sector of “affordable housing” in the state and that should not be jeopardized. Houses have their protection with Prop. 13 and fixed interest rate loans. Why can't mobile homes have a similar level of protection with rent control, especially for senior, disabled, and low income residents?

Another consideration is the fact that mobile homes fall under a Oligopoly category, which will likely be litigated upon in the future. The owners that run these parks have a trapped renter that has no choice but to pay what is dictated to

him under a “free market” environment. The home cannot be moved to other parks because they are usually too old, it is too expensive to move, and the residents sometimes are too old to be engaged in such in activity. That is why rent controls need to remain in place.

There will definitely be class action lawsuits. The defendants will be the pre-informed or forewarned parties who knew that their actions would bring losses in the billions of dollars to mobile home owners. The defendants will include the Realtors and their brokers who have been involved in mo-

bile home transactions. They in almost all cases failed to properly “disclose” the facts to buyers and sellers of these mobile homes. Frequently, there was pending and proposed legislation to get rid of rent control, even while the parties were negotiating.

Sincerely,.

Roger Svensson

Retired Realtor, engineer, and financial analyst

Rancho Santa Barbara, Santa Barbara, Ca.
rogersvensson2005@yahoo.com

Continued from Page 43: Changing Title 25

Lets see how this works— (example)

The Legislator passes a bill (law) to change a section of the Health and Safety Code (That applies to Mobilehome Parks), the Governor signs the bill and after review by the appropriate Agency (in our case the Agency would be Housing and Community Development (**HCD**), the bill is not clear on what or how to implement the change or revision and may require the Agency (**HCD**) to adopt regulations to clarify the text. The Bill may also tell the Agency to draft regulations to explain the legislators intent.

The Agency (HCD in our case) may come up with a regulation (CCR rule) to help with how the law is applied. This is called "RULEMAKING" If you are interested in how this procedure works, and have an interest in becoming involved you can go to;

www.oal.ca.gov/index.html, click on the red tab (at top of window)"Publications", click on the listing "How to Participate in the Rulemaking Process" and download the 25 page pdf document file.

This is a complex procedure and all of the above is only a birds eye view. I have left out parts of the process, but at least now you may have a better understanding of how a bill gets from being passed to being applied to the CCRs.

As you can see from the above this can be long drawn out procedure. This is not a simple procedure and is not taken lightly by all parties concerned. OAL can not make changes to the law as passed and signed by the Governor, only how it is applied in the field (simplify the law in common terms) These applications will show up in Sections of the CCRs. For Mobilehome purposes these would probably be in Title 25.

Milt, milters2000@yahoo.com

Editors Note: The following is a guide to be used when we want to change Title 25. This is rather technical and published here for those having interest in changing the laws that affect us. This information was given to us by Milt Burdick. We understand Mr. (HCD) Bradley Harward" bharward@hcd.ca.gov supplied much of this information. He is the HCD's 'go to man' for changes to all Mobilehome park rules and regulations including H&S and Title 25 and others----very good contact for illegal.

Government Code Title 2, Division 3, Part 1, Chapter 3.5. Articles 1 thru 10

(Web site: www.oal.ca.gov/apa_link_to_leg_counsel.htm)

(click on; Administrative Procedures Act-Office of Administrative Law)

CHAPTER 3.5.ADMINISTRATIVE REGULATIONS AND RULEMAKING (41 pages)

Article 1. General	11340-11342.4
Article 2. Definitions.....	11342.51011342.610
Article 3. Filing and Publication	11343-11343.8
Article 4. The California Code of Regulations, the California Code of Regulations Supplement, and the California Regulatory Register	11344-11345
Article 5. Public Participation: Procedure for Adoption of Regulations	11346-11348
Article 6. Review of Proposed Regulations	11349-11349.6
Article 7. Review of Existing Regulations	11349.7-11349.9
Article 8. Judicial Review	11350-11350.3
Article 9. Special Procedures	11351-11361
Article 10. California Taxpayers' Right to Self-Governance and Participation	11364-11365

The above Government Code is part of the process for changes to California Code of Regulations (CCRs) which includes that part of Title 25 which applies to Mobilehome Parks.

This is a very small part of the Government Codes. For more information go to the WEB site listed above.

This is the law on how the Office of Administrative Law (OAL) performs their duties in accordance with Administrative Procedure Act (APA).

OAL ensures that Agency regulations are clear, necessary, legally valid, and available to the public. OAL is responsible for reviewing Administrative Regulations proposed by over 200 state Agencies for compliance with the standards set forth in **California's Administrative Procedure Act (APA)**, also, for transmitting these regulations to the Secretary of State and for publishing regulations in the California Code of Regulations.

Continued on Page 42: Changing Title 25

A Few Final Thoughts

We hope you found something in this “supplement” that was of interest to you. It may not always be perfect, but we do have much information to send along to you.

The “supplement” is a work in progress. It will allow us to send you much more information than we would normally be able to send in a hard copy. You can see that it is a compilation of information from many sources and our members and leaders supply much of that information.

Our goal is a simple one. To communicate, to inform, to unite. We hope you begin to trust us. We are sincerely there to help you and other mobilehome owners.

Many ask if they can use the information in THE

VOICE. Our answer: of course, but we require recognition that it was in THE VOICE. Please include the following when distributing information you find in THE VOICE:

This information was published in THE VOICE, month/year, a publication of CoMO-CAL, P.O. Box 4821, Chatsworth, Ca. 91313. 1-800-929-0601, website: comocal.org.

We welcome your comments and suggestions. This is a vehicle for you to use. And we want to share with as many mobilehome owners as possible. In fact you who receive this by email are our best hope to UNITE mobilehome owners. We are more interested in communication and education than we are in money.

What Can You Do?

1. Send us email addresses of your friends and neighbors who live in mobilehome parks. Our goal is to reach as many as possible.
2. Keep us informed. Let us know what is happening in your park. What are your issues and problems? We will devote more time in THE VOICE to these. Remember, you are our eyes and ears.
3. Promote CoMO-CAL. We are not a club. We are not here for entertainment. But we are here to begin addressing the many issues mobilehome owners face. We hope you trust us. In coming months we will begin writing more about things that we can do to start resolving problems.
4. Volunteer to distribute THE WHISPER in your

park. All it takes is an hour or so each month. We will send you enough copies for your park.

5. We want to begin educating city and county leaders. Help us to this. Send us their email addresses.
6. Form a CoMO-CAL chapter in your park. All it takes is a small group of residents. We will assist you along the road. Keep it informal. You don't need bylaws or the formation of a corporation to start. And without organization in your park, no advocacy group can really help much.
7. Have faith that finally there is an advocacy group working hard to make positive change.

THANK YOU

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