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# THE VOICE

## COALITION OF MOBILEHOME OWNERS

OCTOBER 2008 VOLUME 4 ISSUE 10

### Important Changes in CoMO-CAL

Beginning November 2008, THE VOICE will be published every other month. This means that you will receive the next issue on November 15, 2008, then after that every other month, i.e. January 2009, March 2009, May 2009, etc.

There are three reasons for this change: 1) The cost of printing and mailing each month leaves us with little money to do other things, 2) The effort putting together a 20 page newsletter - I would estimate it takes me two weeks to write, then the printing, folding, stapling, labeling, sorting for the Post Office, etc. takes considerable time, and 3) To be quite frank, we are just not accomplishing our goals with a monthly newsletter. We make requests, and no one responds. We give advice, and usually never know if it helps. We have done surveys, and we are lucky if 4% respond. We have meetings and ask residents some basic questions. They usually don't remember reading about it in THE VOICE. So perhaps we need to change our approach.

Organization continues to be our #1 priority, i.e. HOA's in parks, a CoMO-CAL representative in each park, and networking between mobilehome owners. If you'd like to volunteer, please call us. We can't make a difference in your park unless you are organized. Then we can offer much information and support. We are determined to stop the abuses we see, i.e. interference of sales, evictions for no cause, harassment and intimidation, etc.

Another change has become necessary. Our

annual dues will be increased to \$20/year, \$38/2 years, and \$54/3 years. This will only affect you when your renewal is up or after January 1, 2009. If you can not afford the increase, let us know and we will work with you so that you can continue as a member.

Of course, we are open to your comments, suggestions or criticism. Just call or email us at CoMO-CAL. Remember though, we have been the only advocacy group publishing monthly—probably across the whole country. The Oregon group charges \$30/year, and GSMOL charges \$20—for a quarterly newsletter.

Although it would seem you will be getting less services costing you more money, we ask you to support these changes. Our members still receive more important information from us than from any other source. Our bottom line –YOU - has not changed. In fact the additional monies will allow us to ultimately do more for you and to build the organization. We will continue OReO—Operation Reach Out—with THE WHISPER. This program was started to give information to non-members. We will continue to be available by email and by phone.

In addition, our new website will offer much more. Now you will be able to speak out about issues in your park.

- see Page 3 for more information-

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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.

#### **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

#### **Mold Attorneys**

Miller Law. Inc. (Sacramento)  
 916-351-1200  
 Handyman—San Fernando Valley  
 Ray Emmons Construction  
 818-800-3366

#### **Failure to Maintain Attorneys**

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 800-895-5053

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**New Website: CoMO-CAL Online @ comocal.org by Frank Wodley**

Our new website premiered online as of September 15, 2008. I am excited because it will allow us to give you much more information than the previous web site at a lower cost. I've labored many hours putting it together, and there is still much to do. So what does it mean to you?

1. As with the previous website, visitors can read about CoMO-CAL, our history, what we do, our goals, etc.

2. THE VOICE will be published on the website in PDF format for all to download (except current issues reserved for members). We believe this information should be shared with all. And we hope those accessing it will support our efforts and join.

3. Subjects may be searched by keyword. For example if you want information on "rent control," a search will bring up news articles and other information on rent control. There are a broad range of subjects and we hope this information will be used by all mobilehome owners across the state of California , as well other states. To my knowledge, no one else is doing this.

4. Ever feel hopeless and frustrated about problems in your park? I know I have. Now there is something we can do about it. Let's have a section (it is called UPO—Unscrupulous Park Owner) in our new website detailing problems in your park, in my park, and others around the state.

This is what I need from you, preferably by email, but you can send us regular snail mail if you keep it short and concise.

Detail the problems, such as:

1. We asked the manager to meet with our group

and they didn't show.

2. The park is giving us lots of 7 day notices for petty issues

3. The manager harasses - give examples

4. The manager intimidates - give examples

5. The common areas are not kept up, i.e. failure to maintain issues. Photos would be nice, we will include them also.

6. The park interferes with sales, i.e. will not allow residents to sell their home, wants them to move it out of the park, or will not okay a buyer.

7. Other - you be the judge. We will post this information, your parks name. We will not publish your name so this will be confidential. We will not give out any information where we obtained this information, so don't worry.

So now is your chance to "speak out" and be heard. Perhaps this will get the attention of park owners - I'm sure they will not like their "dirty laundry" to be aired in public. Maybe this will be incentive for them to make changes. And it will help educate those not living in mobilehome parks.

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Eventually we might include a section:

Homes for sale. We feel this could be a win/win situation. It might draw more traffic to our website while giving mobilehome owners another way to advertise their sale.

A handyman section. We all have had a need for a good repairman. So please take advantage of this new website. It is yours to use. Use it to speak out about your park. We welcome your comments and suggestions.

### How to call the Senior Legal Hotline for legal help

Website: <http://www.seniorlegalhotline.org/>

Are you a California resident 60 or over?

#### Here's how you can call the hotline for free legal advice:

**Our phone numbers** for legal advice are (916) 551-2140 in the Sacramento area, (800) 222-1753 elsewhere in California.

**Our regular hours** are 9-12 and 1-4 Monday through Friday. We stay open until 7:00 p.m. on Thursdays. Please call at these times.

#### **What to expect when you call for help:**

- **During regular hours our staff and volunteer advocates pick up as many calls as they can.** They will answer your question immediately if they know the answer; they may arrange to call you back if it will require some research; or they may make you an appointment to speak with another of our advocates who's an expert on your topic.
- **If the phones are busy, you may get a receptionist,** who will note the subject of your question and set an appointment for an advocate to call you back within two days, or sooner if the matter is urgent.
- **If the phones are extremely busy, you may get voice mail.** If you leave your message during the hours listed above, someone will call you back the same day, either to advise you or to make an appointment. **Voice mail tips:** When you leave a message, please speak clearly, spell your name if it's at all unusual, and tell us whether you've already spoken to someone or if it's your first call. Remember to leave your phone number, including the area code. And it helps if you mention when is a good time to call.
- **If a call-back appointment is scheduled for you,** please be ready at the set time, with any relevant documents and notes, plus paper and something to write with. And please be patient -- sometimes our advocates get stuck with a long call or an emergency, so they may be a little late.
- **If you miss a call-back appointment,** the advocate may or may not try later, depending on other obligations. It's best if you can call back and reschedule - or you might reach an advocate right away.
- **Feel free to call again** if you need further explanation or advice on the same or a different subject. But please help avoid confusion by telling the person who answers that you've called before. That way, we can pick up where we left off and not waste time - yours or ours. Staff really appreciate your help on this - and so do other seniors waiting to get a turn.
- **Some of our advocates are volunteers** who come in as little as twice a month. So you may have to wait for a follow-up discussion with the same person; or you might prefer to speak with someone else sooner. Don't hesitate to express your preference. All advocates have access to each other's notes.
- **A word about confidentiality and privacy:** As a law office, we are bound to keep the information you share with us as private as you request. Sometimes it may make sense to discuss your problem with someone else, but we will do so only with your permission. Also, we do not share our client data with any other organization, let alone commercial enterprise.
- **We'll need to ask you some questions** that may seem prying or unrelated to your request. As a free service, we need to report to various government (continued on page 5 bottom)

**CALIFORNIA RURAL LEGAL ASSISTANCE**

In a small, northern community of Yuba County, in Marysville, California is a small group of attorneys who have taken up the charge of going after mobile home park owners for not maintaining their park with the appropriate electrical and water resources. The name of that park is Vinboy Mobilehome Park. The residents there have been left to fend for themselves as the park owners have left, owing back payments of electricity and water to those agencies responsible for providing such services.

Attorneys from California Rural Legal Assistance and Yuba County Counsel are doing their best to seek justice for seventeen plus residents that are left within the park. There is no rhyme or reason as to why a park owner would desert such an obligation and leave people in a situation of

financial and emotional stress.

The lawsuit that has been filed seeks repairs and compensation for losses. The California Rural Legal Assistance office is located at 511 "D" Street, Marysville, California and can be reached at 530-743-5191.

The CRLA attorneys on this case are Ilene Jacobs, Lee Pliscou and Molly Stafford. The Coalition of Mobilehome Owners of California (CoMO-CAL) stands with them and are ready to lend any support necessary in accomplishing their goals.

**ROBERT C. HITES**  
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continued from page 4: agencies and foundations that pay for the assistance you're receiving. So please be patient and understanding when we ask you, for instance, about your race or ethnic background, about your household size or about your income. We need this information for statistical purposes; it will never be disclosed in connection with your identity unless needed to qualify you for some special service, in which case we'll explain first.

If you have a special reason why you don't want to answer a particular question, we may be able to help you anyway. Feel free to ask. But without at least your name and some other basic information, we may be able to give you only very general information, because we need to make sure we're not advising both sides of a potential conflict.

**Mediation: An alternative to court for dispute resolution...**

The Senior Legal Hotline's mediation department exists to help California seniors resolve disputes. While mediation is not appropriate in all situations, it can be a means to solve problems without going to court. This groundbreaking program is completely free and conducted entirely by phone – allowing both parties to participate from the comfort of their home or office.

**•For issues concerning mediation, call (916) 930-4921 to leave a confidential message of any length. Someone will call back within one business day.**

## WE HAVE THE RESPONSIBILITY TO TAKE ACTION

When something is wrong, those having the ability to take action also have the responsibility to take action.

This article is about the Golden State Mobilehome Owners League ("GSMOL"), and Resident Owned Parks, Inc. ("ROP"). GSMOL describes itself as a "nonprofit charitable trust corporation, dedicated to preserving mobilehome ownership as affordable, quality housing through legislative efforts, and organization and education of individual home owners and dwellers." ROP is a corporation in the business of acquiring and operating mobilehome parks throughout California. Maurice Priest is corporate counsel and lobbyist for GSMOL. He is also the President and Director of ROP. ROP is incorporated as a non-profit under California law.

We have previously written about Mr. Priest, GSMOL's corporate attorney and lobbyist in Sacramento. Mr. Priest has been involved with GSMOL for approximately 28 years. We feel he essentially controls much of what GSMOL does. Although there are other reputable non-profit organizations helping residents purchase their parks, GSMOL only promotes ROP, Inc. The ROP website states in bold letters "the only park purchase program endorsed by GSMOL." In fact, ROP often uses GSMOL chapters to "get a foot in the door" with resident groups hoping to buy the park where they live.

Mr. Priest founded ROP seven years ago, and he runs it today, along with his wife Diane, whom he hired to handle property management of the ROP parks. We believe his primary goal with ROP is to make money – lots of it – as an owner and operator of mobilehome parks in the State of California, and not to promote quality affordable resident ownership.

The reason that GSMOL endorses ROP is obvious. Mr. Priest controls GSMOL, and he's the president

and chief operating officer of ROP, Inc. GSMOL's endorsement of ROP is self-serving – it's Mr. Priest's way of using GSMOL's name to gain trust and credibility for ROP, Inc.

We feel GSMOL violates its obligation to members by supporting ROP's acquisition of mobilehome parks. There are a number of concerns:

ROP, Inc. ownership of a mobilehome park is not true *resident ownership*. ROP ownership of mobilehome parks is, in practice, no different than ownership by a for-profit entity. According to what residents have told us:

> Rents go up dramatically when ROP buys a park, even though ROP purports to be an affordable housing corporation that keeps rents low.

> Residents have no more say in how the park is operated under ROP than under a for-profit owner.

>"Resident Owned Parks" is a catchy name, but *only a name*. ROP, Inc. is the park owner, with Maurice and Diane Priest in control. The residents do not own the park.

> Park maintenance is no better (and maybe even worse) than under for-profit ownership.

> ROP usually claims it will turn over ownership of a park to a residents' association after 30 years, and after it pays off the bonds used to buy the park. In the fine print, the claim probably includes conditions: the resident association must first obtain 501(c)(3) tax exempt status from the IRS, but it's extremely difficult for an association serving the interests of residents of the park to qualify for that status under the current tax law (who knows what the law will require in 30 years).

No one knows exactly how this transfer of owner-

ship will work out; the first park "turn-over" by ROP to a residents' association won't happen for many years. It appears that as a park owner, ROP reserves the right to refinance or extend the bonds beyond the 30 years. This could delay the transfer of a park to a resident association indefinitely.

> Like many for-profit park owners, ROP pressures residents to sign 'long term' leases which take away the protection of local rent control. ROP promises not to raise rents more than a few percentage points each year, then tries to slip in additional charges. In one park, ROP is trying to bill residents extra for the utilities for the clubhouse and common areas.

> Management expenses under "non-profit" ROP are likely to be no less (and may even be more) than management expenses in for-profit parks. Residents have to pay these expenses along with the increased mortgage debt service when ROP takes over a park.

In recent years, residents in several parks have mobilized to try to stop ROP from purchasing their parks. In January 2007, we wrote about Westwind Mobile Park in Clearlake, where the ROP purchase would have resulted in a 40% rent increase. Later that year, residents in Forest Springs (Grass Valley), voted 78% to 22% to keep ROP out.

A committee of concerned residents in Windsor Mobile Country Club (Windsor, California), waged a long, hard-fought battle to stop ROP's purchase of their park. Although unable to stop the purchase, they succeeded in forcing a big reduction in the \$217 monthly rent increase sought by ROP (reduced to \$117 and less for the lowest income residents). Resident Leader Donna Helwig tells us "It's still too high, people on fixed incomes just cannot afford that kind of a jump in their rent. Although Mr. Priest says that no one ever loses their home in an ROP park, we believe

some people have just walked away from their homes because they couldn't afford it. The disruption created by ROP's purchase of the park has caused home values to plummet, and home sales are almost at a stand-still." According to Ms. Helwig, "it's only been two months since ROP took ownership of the park, and the Priests are already crying poor. They say they don't have the money to put someone in the office full time, although ROP receives \$125,000 per year just to manage the park."

We often hear from residents in parks acquired by ROP. Residents of Creekside MHP (Shingletown) and Sunny Oaks (Los Osos) have organized to oppose ROP management practices in those parks. One homeowner group has retained an attorney, the other is taking legal action against ROP. All these residents can't be wrong!

There are other non-profits which do a good job of managing their parks and keeping rents affordable. A number of parks in the Sacramento area are owned as co-op's by their residents. They are much more affordable than other parks in the area (including parks owned by ROP). We've written about Palm Terrace (Aptos) in September 2006 and Lakeshore Estates (Oregon) in April 2007 – where residents purchased their parks with the help of Deane Sargent of PMC Financial Services. We've also heard good reports from residents assisted by non-profit Millennium Housing and Carlsberg Management Company, among others.

We believe it is a serious conflict of interest for GSMOL to support Mr. Priest's park acquisition efforts, while not supporting efforts by these other entities. In contrast to what we understand about ROP-owned parks, these other entities strive to keep rents low. They try to give residents a meaningful voice in management decisions about their parks, and they support efforts by residents to acquire ownership of their parks. It's also misleading for GSMOL to claim, without qualification, that (continued on Page 8)

Continued from Page 7 ROP's ownership of a park is in the best interests of its residents. There are many residents in ROP-owned parks who would disagree.

ROP owns and operates five or six parks around the state and pays its President, Maurice Priest for his work in acquiring and operating these parks (we haven't been able to find out how much). We've seen records indicating Mr. Priest also gets paid about \$100,000 per year by GSMOL – which claims to represent and advocate for mobilehome park *residents*. So Mr. Priest gets paid when he runs a company that owns mobilehome parks and also gets a handsome GSMOL salary for supposedly advocating on behalf of mobilehome park residents. How can he be a strong advocate for residents when he's running a company that owns mobilehome parks all over the state? How can GSMOL claim to be working hard to protect the rights of mobilehome park residents when its attorney and chief lobbyist runs a company that *owns and operates* mobilehome parks all over the state?

Mr. Priest has, in the past, helped to get good legislation passed. But many of the bills he pushes are "no brainers," like SB 1107 (Correa 2008) which requires park owners to comply with state and federal laws relating to handicapped access and disability discrimination – laws that they have always been required to comply with. More ominously, GSMOL'S high priority bill this session – SB 900 -- would have made it easier for park owners to subdivide their parks into condominiums. Condo conversions would harm thousands of mobilehome park residents -- wiping out most or all of their home equity and dramatically raising their rents. Priest and GSMOL pushed strongly to get that bill approved. We believe it would have benefitted Priest's company – ROP – but would have increased the pace of mobilehome park condo conversions around the state, discouraged local governments from enforcing rent control ordinances and harmed the park

residents that GSMOL claims to support.

We have asked GSMOL's leadership many times to discuss these issues. Bob Hites and Frank Wodley talked with GSMOL President Tim Sheahan, about this at the GSMOL Convention in January 2008. At that time, Tim said the Board of Directors was "working on it." Nine months later, nothing has changed. In fact, we heard that Mr. Priest was given a raise by GSMOL.

GSMOL members, and mobilehome park residents across the state, deserve to know what their money is being used for. GSMOL claims to be the "go to" advocate for mobilehome owners. Maurice Priest, GSMOL's attorney and lobbyist, should be beyond reproach. Mr. Priest and GSMOL should both strive to high ideals befitting their roles.

To that end, we urge GSMOL and ROP, Inc. to immediately open their books and give a full accounting of all compensation paid to Mr. Priest, his wife, and other persons working for these organizations. GSMOL should immediately stop its exclusive endorsement arrangement with ROP and encourage mobilehome owners to carefully investigate ALL the "park purchase" options available to them. There are many different approaches to resident ownership. Each park's situation is unique; what might work well for residents in one park might not work for the residents of another.

These are serious concerns, and we believe they must be immediately addressed. GSMOL must become transparent, and must be accountable to its members. If GSMOL ignores these obligations, then we believe mobilehome owners across the state should not continue their support for GSMOL. In other words, we recommend that GSMOL members not renew their memberships and others not join GSMOL unless we can be assured that GSMOL will truly and vigorously represent us in our parks, our cities and in Sacramento.

**Residents who Support GSMOL/ROP, Inc. Article (Pages 6-8)**

To date, the following people have indicated their support for the article on Pages 6-8. If you want to be added to this growing list, please let us know.

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Bob Hites,  
Vice President of CoMO-CAL  
Alpine Village, Marysville

Sally Studer,  
Vice President of CoMO-CAL  
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Morningside MHP, Modesto

Rosemarie Rosales  
Treasurer, CoMO-CAL  
Chatsworth MHP, Chatsworth

Steve Molski,  
President, Terry's MHP, Chula Vista

David Grabill,  
Attorney, Santa Rosa

Rosemary Tomai  
President, Homeowners Coalition  
Mobilehome Parks in Tuolumne

David Loop,  
HOA Board Member  
Aptos Knoll MHP, Aptos

Ray Bishop,  
Past President SAMPRA,  
Sunny Oaks MHP, Los Osos

Robin Holland,  
Past President, Tahitian Terrace Residents' Association  
President, GSMOL Tahitian Terrace Chapter.  
Tahitian Terrace, Pacific Palisades

Ralph Weber  
2 x GSMOL Legacy Award Winner  
Past Vice President, CoMO-CAL,  
Past GSMOL Regional Manager

Michael Breda  
Westwind MHP, West Sacramento  
Democratic Party Organizer

Paul King,  
Country Faire Estates, Dunnigan

Residents of Alpine Village,  
Marysville

Patsy Hites  
Mack Brothers

Theresa Brothers

Michael Norman

Rosa Norman

Mickie Blanton

Jean Pellegrine

Theresa Spradley

Kenneth Rehur

Kenneth Rehur, Jr

Joan Bean

Bill Kozin

Bette Marston  
Westwind MHP, Lower Lake

Don Puckett  
Westwind MHP, Lower Lake

Laura Mantei  
Grass Valley Mobile Village, Grass Valley

Shiloh McNabb  
Grass Valley Mobile Village, Grass Valley

Residents of Leisure Lake,  
Lancaster:

Bryan, Doris  
Bryant, Jr, Joseph  
Buchholz, Wallace & Phyllis  
Christenson, Gary

Coon, Darline  
Cosney, Joseph  
Davis, Mary  
Delucia Rude, Joyce

Diestel, William  
Faries, Margie  
Fortenberry, Bill  
Kaufmann, Joyce  
Klimke, Margaret  
Lewin, Ruth  
Martens, Maria  
Moore, Michael & Elaine  
Orlando, Michael  
Parker, Jane

Pearce, Robert & Noel  
Petrozzi, Daniel & Penny  
Pope, Sr, Ben

Sloan, Keith  
Smith, Robert  
Swarbrick, Naomi  
Tafarella, Santi  
Theophanis, Georgia  
Torres, James & Annette  
Tye, Almira  
von Rossbach, Maxine

**AB 1111 Conversion of 55+ Parks to Family Parks**

As per Jim Burr, GSMOL LAT Chairman on August 5, 2008:

AB 1111 is receiving substantial opposition from the park owners who claim it (1) discriminates against families and (2) falsely claim it violates federal law. Neither is true! Please consider using one or more of the talking points as follows:

We DO NOT discriminate against families when we ask only that existing Senior Parks remain Senior Parks.

- We ARE NOT asking to convert existing all-age (or family parks) to Senior Parks and displace families.
- All we ARE asking is, when we invest nearly all we afford in a home in a Senior Park, we have the right to expect it to remain that way and not be converted to family status only to satisfy some park owner's additional profit motive!
- We ARE asking for the opportunity to petition local governments to retain the present level of affordable housing for SENIORS on low to moderate incomes. And we know that many jurisdictions are willing to do this.
- Retirees who make the expensive decision where to purchase a retirement home should have a right to rely upon the written rules adopted by the park owner at the time of the purchase.

If preserving senior parks is important to you, YOU MUST ACT NOW. You are URGED to use any of the talking points above, and call the following Senators at their Sacramento offices and urge them to support AB 1111 as amended.

Editor's Note: Working in Sacramento is not yet a team effort, although it could and should be. CoMO-CAL supported AB 1111. We agree with GSMOL's argument; however GSMOL has NEVER included us in their work in Sacramento. Perhaps this will change

As per Western Manufactured Housing Communities (Park Owners Statewide Group)

This bill is contrary to federal law, therefore it would seem odd that the state legislature would ignore that fact.

**IF THIS PASSES, THE APARTMENT INDUSTRY COULD BE NEXT**

Despite recent amendments, AB 1111 remains a harmful, burdensome measure, which violates the federal fair housing laws by allowing a local jurisdiction to enact an ordinance prohibiting park management from converting an age-55-and-over community to an all-age community.

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WMA Red Alert: **AB 1111 dies on Senate floor.**  
September 2, 2008 Attention members:  
Anti-family bill defeated on Senate floor

Great news! We are pleased to inform you that the anti-family legislation, Assembly Bill 1111 (DeSaulnier), died on the Senate floor last Friday.

WMA staunchly opposed Assembly Bill 1111 (DeSaulnier), which gave local government's permission to restrict park owners from changing 55-and-over communities to family parks. The bill received 15 aye and 21 no votes. It is worth noting that several Democrats voted against AB 1111 (DeSaulnier).

This was a hard fought victory and we would like to extend our thanks to those members who responded to our letter writing campaign.

in time. We will continue supporting any legislation we believe really helps mobilehome owners. We have our own ideas for new legislation and will work getting new laws passed.

## LISTEN-UP FOR OCTOBER 2008 TEAMWORK

You have heard me say many times that "no man is an island:" What I meant by that is quite simple. No one person or organization can take on the problems that exist today within our mobile home parks by themselves. It takes TEAMWORK.

Teamwork defined in your standard dictionary is a noun. The definition is 'COOPERATIVE EFFORTS BY THE MEMBERS OR A GROUP OR TEAM TO ACHIEVE A COMMON GOAL'. We all at one point in our lives have established various goals from the time we were children to present day. It is an ongoing requirement in life to have goals not only for yourself but for others as well. Teamwork is vitally important in order for any advocacy group to accomplish its goals. The everyday effort of each one of you that resides in a mobile home park should be considered part of a team, part of a group participating in an effort to improve your lifestyle and your park that you reside in. We know that is not being done.

People have a tenancy to look the other way and say to themselves let's not get involved and maybe it will go away. Not so, says I. It will become a larger than life problem and with each passing day the problem will continue to grow until such time it has its own life and creates stress, hardships and untold administrative and financial problems for those that allow the problem to grow. That is where TEAMWORK comes into the picture.

When you identify a problem, common sense tells you things aren't right – something needs to be done. The problem must be brought to those who can stop it, adjust it, or apply some rule or law that solves the problem. TEAMWORK is the eyes and ears of any mobilehome park.

Lately, we have found park managers and park owners that believe that they don't have to follow the guidelines of the Mobilehome Residency Laws or Title 25 Health and Safety Codes. These folks continue to bring about hardships upon their residents. It is time for TEAMWORK. You identify a problem/situation. You review your Mobilehome Residency Laws. You need a second opinion talk it over with someone else in your park.

Submit your compliant to the park manager in writing and preferably upon their complaint form. Oh yes, they have them, but you have to contact your manager for a copy. I suggest you make several copies of a blank one if you are going to identify problems within your park. Complete your complaint and make a copy for yourself and submit same and ask for a return reply in ten (10) days and see what happens. If you don't get a written reply (and you should) then forward your information to your homeowners association. If you do not have a homeowners association, you should!

Then please notify your advocacy group. If you do not have an advocacy group I strongly suggest you join CoMO-CAL, GSMOL or CMRAA. These groups have numerous resources and have the ability to help resolve issues through TEAMWORK. I can be reached at 530-743-2965 or by e-mail at [anvil95993@yahoo.com](mailto:anvil95993@yahoo.com). Until next time, please build your team and please use TEAMWORK

ROBERT C. HITES

Vice President of CoMO-CAL

**Planning to leave your Park Home to your family? Beware it could cost them thousands and be a millstone around their necks.**

Editor's Note:

PHRAA is the United Kingdom's equivalent of CoMO-CAL. I've chatted with their General Secretary Ron Joyce on numerous occasions and although Ron wrote the above article in May 2007, it applies today.

In California, we call this "interference of sales." I've included this article in THE VOICE to demonstrate our problems are not just state wide, but in fact are international in scope.

If you are sitting there reading this thinking that it

doesn't happen in your park, just take a look around at all the new homes - all of which have been placed there by your park owner. I'd bet in most instances, former residents were given cents on the dollar for their space.

CoMO-CAL feels this is our #1 priority in parks - to deal with interference of sales. We can't do it alone, we need your eyes and ears. We need you to organize. Heed the request of PHRAA - let us know if you or someone you know has fallen victim to this or other scams. Only then can we begin working to stop it.

It is not often that we at PHRAA are taken by surprise by information contained within the pages of the Park Home & Holiday Caravan Magazine, but an answer to a readers letter in the questions of law pages published in the May 2007 edition shook us to the core. Although PHRAA had not come across this problem before, it appears from the published answer that it is a common and accepted practice used by park owners to exploit this type of situation. Consequently we felt it our duty to alert all existing and potential park homeowners to this previously hidden scandal.

Entitled "Do we have to pay a one-off sum on a willed home?" the writers letter stated that their late mother had left her Park Home to the writer and her sister in her will. The writer explained that she planned to buy her sisters share and take up residence in what was now legally her own property. Imagine her shock and horror when informing the park owner of her wish to occupy the home only to find that he was demanding a 'one off' payment of £10,000 before he would

allow her to move in.

This is just another outrageous example of the absolute power a park owner has over the lives of not only the residents of his park, but their relatives as well. Park Home Law (Mobile Homes Act 1983/2006) clearly states that the homeowner can gift their home to a relation or the executors of the will who have the right to sell the home. Should the beneficiary wish to occupy the home, permission has to be obtained from the park owner, but this permission should not be unreasonably withheld. Nowhere in the Act does it state that the park owner has the right to receive any payment from the beneficiary as a condition of giving his approval to the beneficiary to occupy the home. **In fact the Act clearly states that the park owner should not receive any payment whatsoever on the gift of a home.** The only circumstance where the park owner receives a payment is when the beneficiary sells the home. The park owner is then entitled to receive up to 10% of the sale price payable by the beneficiary

(seller) on completion of the sale as is the normal practice where the homeowner sells his home.

As with almost every other aspect of park home law what is laid down, due to the total lack of any power of enforcement, is very different to what actually happens in practice especially where the unscrupulous park owner is concerned. Should a relative, probably s son or daughter, be left a park home in a will and decide they would like to live in it then, they are either faced with having to pay the park owners demand for a large sum of money to obtain his permission to occupy their own property, or face months, even years of expensive and traumatic legal action through the courts, during which time they will have to keep up the ground rent payments and other charges on a home they cannot occupy, to try and obtain their rights. Such action may cost considerably more than the illegal fee demanded by the park owner and with no guarantee of a successful outcome. Whatever the unfortunate beneficiary decides to do with the park home he/she has inherited, whether it be to live in it or sell it, the unscrupulous park owner holds all the aces in a marked pack of cards. He can prevent occupation by the beneficiary and can also by illegally putting off any prospective buyers successfully prevent the home being sold. He will know and take full advantage of the fact that the helpless beneficiary will be responsible for paying to him the ground rent and all other charges due on the home from the day of the deceased homeowners death. **The longer the park owner delays the sale, the more desperate the beneficiary will become, until they are left with no option other than court action but to sell the home to him for a pittance.**

Most people who sell up their bricks and mortar to buy a park home for their retirement years believe the glowing adverts, which persuade them they are investing in an appreciating asset in which they will be able to spend their Autumn years and still have a valuable asset to leave to their loved ones on their eventual demise, or sell up, relying on the perceived equity in the value of the home to

finance their future life should they have to enter sheltered accommodation in later years. It would seem however that **it is entirely due to the never ending greed of the ever growing band of unscrupulous park owners buying up parks at an increasing rate, together with the total absence of enforceable law instead of leaving your nearest and dearest a valuable asset you could be leaving them an inheritance, which will cause them much trouble and expense. Certainly not what you intended or believed.**

PHRAA would strongly advise anyone considering the purchase of a park home to employ the services of a competent solicitor conversant in park home law to oversee the transaction and raise this issue with him or contact PHRAA. If you or any of your fellow park homeowners have fallen victim to this or any other outrageous scam, please let PHRAA know. All information passed to PHRAA will be treated in the strictest confidence.

**Stop Press..... Even before the ink had dried on this warning bulletin when PHRAA received two further separate reports from distraught relatives of deceased park homeowners in a similar position and being held to ransom by unscrupulous park owners, which proves beyond doubt that this outrageous scam is already in widespread use. Please let PHRAA know if you have any information.**

**IF YOU ARE THINKING OF BUYING A PARK HOME CONSIDER THAT YOUR DREAM OF SOMEDAY LEAVING OR GIFTING YOUR PARK HOME AS VALUABLE ASSET TO YOUR NEAREST AND DEAREST MAY WELL IN REALITY BECOME A MILLSTONE ROUND THEIR NECKS.**

Compiled for PHRAA by  
Ron Joyce, General Secretary. May 2007.

### **OBSERVATIONS OF A CoMO-LAC MEMBER**

Editor's Note: Yes you read right, CoMO-LAC. The name was changed in January 2006 when CoMO-LAC (Los Angeles County group) became a state wide advocacy group. This article was written in 2007 by Sandy Sanschigrin, a wonderful lady who has since passed away. Sandy was a resident of Fairway Estates, the park where Bob Hites has just spoken, and she was my very good friend.

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How long is it going to take to galvanize the various members of the many organizations who advocate affordable housing into a UNITED group of concerned citizens with ONE VOICE? This would surely get the attention of lawmakers, including the Governor himself, who should realize what is happening to the residents of many of our mobilehome parks. If ever there was a time for UNITED ACTION, by all manufactured home owners, it is NOW.

For the residents of the many well-established parks that are being purchased by wealthy investors today, there is a blatant disregard for what will happen to the many elderly, disabled and working-poor homeowners once they are evicted harassed or scared out of their homes. The horror stories are as varied and numerous as the parks themselves. Perhaps you, too, are a victim or a potential victim of a well-organized plan to take over the last, and ONLY, affordable housing left in America.

There is no mistaking that this is a well-thought out plan. It usually begins by bringing in new

managers who use bullying tactics to evict any resident of an older home who has any complaints against them, whether these complaints have any basis in fact or not. For anyone who has ever had a complaint against a neighbor, this "cleaning up" of the park seems like a good idea at first. However, it doesn't stop there. The managers may begin to "patrol" the park on a continuous basis, looking for any infractions of The Rules, especially by those residents who have been targeted.

This has the effect of putting most of the residents in the position of trying to make themselves "invisible" to the managers and feeling like they live in a "concentration camp." The next step is to begin telling residents that they must paint their homes, have new skirting installed or do some other exterior repair or maintenance. The cost of doing so may be \$1500.00 which can be added to their monthly rent statement in installments. This puts an enormous strain on people who live on fixed incomes. If the resident decides to sell their homes instead, they are told it will require an inspection that will eventually cost them more than what the home is worth.

The park will then "take it off their hands" for a nominal fee, usually \$2,000.00 to \$5,000.00 depending on their own criteria. Also, during this time, other expenses start to increase, sometimes at incredible rates. Rent and utilities are the first to go up. A \$100.00 overall increase in six months is not uncommon. This is spread over several items so as not to have the residents clamoring for Rent Control. In fact, most feel relieved that the increase is not more. However,

this will not be the last of the increases. Storage fees and the cost of installing water meters add approximately another \$15.00 per month to what was once affordable housing. Yard clean-up notices are issued that may cost as much as \$200.00 if the resident is not able or cannot afford to do the job themselves. Regular mail delivery of rent statements is also cancelled and residents are told to attach a clip or like devise to their homes in order to receive their rent statements. This cost is minor but the possibility of having a statement lost or being evicted because a resident did not receive proper notification of a problem is enormous.

At some point, the residents will also be told that the new owners property taxes will increase enormously and that their rents will have to be increased accordingly. This accounts for quite a large increase for people who live on fixed incomes, as much as \$45.00 per month.

While many of the residents have, by now, been evicted, their homes as well as the new homes being brought in are allowed to sit in a state of disrepair for months while the managers continue to evict or buy out other residents. The psychological effect of this are enormous and, no doubt, intentional. Many of the residents who spoke so bravely before begin to talk of moving to get away from the stress of worrying about if they will be next.

By now, there has already arrived on the scene one, two or more people who are “not real estate agents” but have bought another home in the park and might be “interested in buying another home as well.” The prices that are now being offered by the “new” purchasers is greater than what the park offered the tenants who were previously bought

out and makes for a very tempting proposition for people who now believe that they will lose everything if they don’t act quickly.

These “new purchasers” neglect to tell the residents, however, that they are representatives of the dealers of the new manufactured homes that are being brought in to replace their homes. These dealers, in turn, are representatives of the manufactured home industry who build the new homes. And the members of the manufactured home industry are, most often, investors in the latest purchase of the park from the beginning. They are, “fractional owners” of the very lot which they are now eager to purchase. Most residents have no idea of the intricacies of this network of deception and, in fact, believe that these people who are “not real estate agents” are just people looking for “a place for Mom and Dad” or for the “grandparents.”

For the owner of an older home who decides to sell their home themselves or to hire their own real estate agent to handle the process, the credit rating required by the park for new residents is raised so high that it is impossible for someone who can only afford an older home to move into the park. If a resident makes arrangements and/or has been able to move into another home or apartment he or she is simply “waited out” until they can no longer afford the cost of two rents. This is usually a short wait no matter how impassioned the person may feel about what is happening to themselves or their neighbors.

We often speak of the need for affordable housing for age, ability and income restricted citizens but fail to realize that we already have it in place. Mobilehomes are, and always have been, primarily inhabited by those who have few, or no, alternatives. Why should there be a need to find

adequate housing for people who already live in their own privately owned homes in order to make room for more expensive models? Most heads of household are women who are primarily older than their apartment residing counterparts.

If it were even possible to move their homes, because of their age and the tremendous cost of moving them, there are no parks available in which to place them. Little, if any, thought is being given to what will happen to these residents once they move from their familiar surroundings in well-established parks.

What is desperately needed is an impact study to show the consequences of removing these residents from their homes, removing the homes from the parks and then destroying them. The adverse effect of evicting or buying out the

residents of older mobilehomes for far below what their homes are worth will have far more dire consequences for society in the future. All advocates of low income housing should unite and not only be heard, but have the facts to prove their case in order to present these facts to those who design and institute the laws that should be in place to protect this most vulnerable segment of society.

**Sandy Sanschigrin, CoMO-LAC member and resident of Fairway Estates in North Highlands, Sacramento**

### **WIN \$200 AND HELP US GROW**

THE VOICE (July/August) mentioned that Bob Hites and Frank Wodley are contributing \$300 for a contest to see who can get the most new members for CoMO-CAL between August 1st and September 31st. In order to give everyone a fair chance, we have **extended the cut off date to Dec. 31, 2008.**

For every new \$15 member you sponsor, you get one point, two points for a \$40 member. Winners will be announced in the February 2009 VOICE.

Points will be totaled on January 1, 2009. The sponsor with the most points wins. First place receives \$200 cash. 2nd place \$50, 3rd place \$25, 4th place \$15 and 5th place \$10. So this is your chance to make a few dollars and help us grow our membership.

Note: a sponsor need not be a single CoMO-CAL member. It can be an HOA or a group of members. In that case, the prize would go to the HOA or collectively to the people doing the work.

Why are new members important?

- More members = more eyes and ears = more information = more knowledge = more power = more can be accomplished =more members, etc.
- More know they can call CoMO-CAL to get help i.e. less are alone

So have you printed your name on “Sponsored by”, and made copies? You can copy our article - 10 Reasons to Join CoMO-CAL (Page 18 of our September Issue) and include it with an application.

## LISTEN UP Let's Talk About People

From early childhood I was surrounded by people. As I grew into manhood it was explained to me by various teachers and mentors that there were three kinds of people.

1. PEOPLE WHO MADE THINGS HAPPEN.
2. PEOPLE THAT WOULD WISH SOMETHING WOULD HAPPEN.
3. PEOPLE THAT WONDERED WHAT HAPPENED.

Now that I reside in a mobile home park I have to come to realize the types of people that live in mobile home parks. They are either “2” or “3” on the list above. YOU PEOPLE seem not to care about YOUR RIGHTS. YOU seem to sit back and wait and wish something will happen and when it does not happen YOU wonder WHY??

The answer is quite simple. It was YOU. YOU did not take the bull by the horns and make things happen. Instead YOU were pushed into a corner, berated, yelled at, some manager or assistant manager pounded their fist on the desk or table and you were intimidated and backed down. Afraid, scared, timid and made to feel like YOU were not an AMERICAN. The strongest item YOU have in YOUR possession is a ball point pen or pencil. Words can change the world as evident by the recent Democratic convention.

No one likes to argue or fight with another for fear of being physical hurt, I know that feeling, been there done that on foreign soil. However, YOU must take a stand and simply say enough is

enough and start documenting and writing letters to those that can help. Advocate groups, Senators, Congressman and local leaders. All politics are local. That means YOUR Board of Supervisors or City Council. Get to know these folks close up and personal. Attend their meetings. If YOU have a computer, find out their web site and read all about them. Those folks work for YOU. Let them know how YOU feel. Let them know what is going on and not just two days before a meeting, but every single day if necessary. They all have e-mail addresses. They all have telephone numbers, they all have addresses and most of all they need YOUR VOTE.

To sit idly by and only have a few people show for meetings on subjects that concern YOUR lifestyle and financial status places YOU in category two and three and YOU should be in category number one. YOU can make things happen by getting involved.

Another thing while I am on my soap box, just because someone is an attorney doesn't make them right. The biggest quality that an attorney has working for him/her is SALESMANSHIP. Sure they have gone off to college and received a law degree but that does not make them any better than YOU. They put their pants on one leg at a time. They are people and most of them fit in category number one. They make things happen. But unfortunately it's often for their benefit and not YOURS. Depending on the case at hand

So again, I urge YOU to get involved. If you need assistance please don't hesitate to contact me at 530-743-2965 or [anvil95993@yahoo.com](mailto:anvil95993@yahoo.com). Until next time I will remain in category number one and look forward to YOU joining me there.

### **Don't Think It Can't Happen To You**

I'm sure most of you reading THE VOICE enjoy being kept up on the latest happenings around the state. And although there are many complex issues, you feel you are safe. Well don't be too sure!

One of the biggest problems comes when you sell your home. It is called "interference of sale." We have written about it many times, and it is a billion dollar park owner rip off across the state.

Does interference of sales happen in your park? Just take a look around, has the park put in new manufactured homes? How many? If they have, you can bet the park used "interference of sales" to get at least some of these spaces from residents. And this costs you and I money. My friend lost \$30,000 when the park wouldn't allow him to sell. It is happening, believe it! My park even put out the statement "we are upgrading our park and as singlewides come up for sale, we are asking that they be moved out of the park." My park is VIOLATING THE LAW when they make statements like this! WILL YOU STAND WITH US

### **AGAINST THIS ABUSE?**

As an aside, how much is it worth to you to support our efforts to stop "interference of sales?" Is it worth an extra \$10/year, an extra \$50/year? Well one way to look at it is the cost of your insurance. Most of you have fire insurance. What is your cost? How many homes have burned down in your park over the last year? How many new manufactured homes have been added over the last year? The point simply is this: you protect yourself against fire, but you don't against interference of sales, although this violation of the MRL occurs much more often and can cost you thousands of dollars! Are you prepared to lose \$30,000, a \$100,000, or more when you go to sell. If so, then don't support CoMO-CAL.

Interference of sales is just one of a myriad of issues we face every day. Of course, you may not know about it. Why? No park wants you to know their business. They want to keep this a secret. But it is happening!!!

### **CoMO-CAL This and That**

1. Manufactured Home Owners Association of America (MHOAA) : Frank Wodley, CoMO-CAL President, will attend the national conference in Minneapolis, from October 3-4. Frank hopes to learn about other state-wide advocacy groups around the country and will share his experience in the November THE VOICE.
2. RENEWALS: Those who get a hard copy THE VOICE, your renewal date can be found in the upper right corner of the mailing label. Please renew early—this saves the time and expense of mailing a renewal notice.
3. WEBSITE: Remember this is your opportunity to speak out about issues in your park. Send us an email or a short letter. Include photos. We will try to post it all on the new website—remember, we will NOT USE YOUR NAME, so you do not have to worry about retaliation.
4. REPRESENTATIVES: We need you to volunteer to be the CoMO-CAL representative for your park—this is the only way we can make a difference in your park!! Please give us a call.

**SOME TIPS**

If your rent is due on the 1st of the month, it is not late until midnight of the 6th.

New rules and regulations are void unless the park goes through the procedure outlined in the MRL - having a meeting with residents.

We suggest you not sign anything while a resident - especially new rules and regulations.

If you want change in your park, it is critical to be organized. One person can't bring about change.

You can start an HOA with only three residents. Get together at someone's home, talk about the

problems in the park and what you'd like to do about them. Let us know how we can help you. We're here to support you!

If you want to replace your older mobilehome, the park **MUST** allow you to have a new one without increasing your rent or making you sign any more paperwork.

The Mobilehome Residency Law is our "bible." Get a copy and read it. If you have questions, call or email us. It is important that you know the laws.

Enforcement: There is **NONE**. It is up to you to enforce the laws that protect you.

**CoMO-CAL****(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)**

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

**NEW MEMBERSHIP APPLICATION (Print Please)**

NAME: \_\_\_\_\_ Date: \_\_\_\_\_

PARK NAME: \_\_\_\_\_ SPACE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

APPLICANTS PHONE NUMBER (\_\_\_\_)-\_\_\_\_\_-\_\_\_\_\_

SIGNATURE OF APPLICANT \_\_\_\_\_ SPONSORED BY \_\_\_\_\_

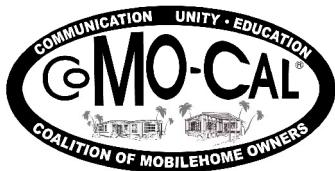
Check # \_\_\_\_ Amount: \$ \_\_\_\_ Money Order ( ) Amount: \$ \_\_\_\_\_

MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) 90 day full refund guarantee if not satisfied

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

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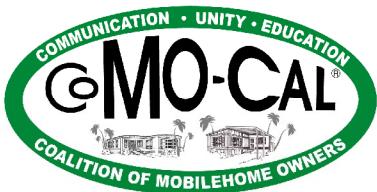
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CoMO-CAL is a non-profit California Corporation dedicated to serving mobilehome owners in California. Our purpose is to educate, communicate and unite. We are MAKING A DIFFERENCE!

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#### SERVICES WE PROVIDE OUR MEMBERS

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

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