



# *THE VOICE*

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## COALITION OF MOBILEHOME OWNERS

### City of Goleta Fights To Save The Constitutionality of Rent Control

Goleta is a newly incorporated City, about three years old, located just to the north of the City of Santa Barbara. It has four rent-controlled parks, and one very wealthy park owner who absolutely hates rent control and is willing to do almost anything to get rid of it.

The owner is Daniel M. Guggenheim of Newport Beach, an independently wealthy developer who has decided to buy up a few mobile home parks and use his wealth to scare cities into getting rid of rent control. Well, his tactic worked almost everywhere, but not in Goleta. So he found a couple of opportunistic loopholes in local/state/federal laws and filed a suit in the Federal Ninth Circuit Court, claiming that our ordinance was unconstitutional. Here's what he did.

First, he discovered that the City of Goleta, at the time of its incorporation, had missed a deadline to transfer the rent control ordinance from County (Santa Barbara) jurisdiction over to City (Goleta) jurisdiction. That allowed him the opportunity to claim that the City's Ordinance was "new law" and could therefore have its constitutionality challenged in Federal court. Well, in order to challenge it, he then needed to find a legal basis on which to challenge. He found it in the City of Cotati Case (which you all should know was appealed and reversed). But he hurried into Federal Court with the initial findings of Cotati (that rent control was unconstitutional), and equally hurriedly asked for a summary decision---which the City of Goleta, just weeks old, failed to challenge. The judge had no choice but to find this Ordinance to be unconstitutional, so **Guggenheim set about immediately to raise rents three-fold.**

After much debate and coaxing from mobilehome owners, the Goleta City Council filed to appeal the Guggenheim decision. While this case was in the Federal appeals court, the Cotati case, in the very same appeals court, was reversed. This caused the Court to remand the Guggenheim back to the Federal Trial Court to be reheard on grounds that did not include the Cotati arguments. The trial date is set for June 6th before Judge Cooper, who heard the original case.

Mobilehome residents in Goleta have formed a coalition which has found success in coaxing the City of Goleta to defend the lawsuit more vigorously the second time around. The Coalition has also hired an attorney who has taken up the cause with a greater than expected exuberance, and who is also working in concert with the City's effort to mount a strong challenge to the suit.

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## **FORM A HOMEOWNERS ASSOCIATION IN YOUR PARK**

Last issue we indicated we were giving special membership rates for residents who belonged to a Home Owners Association (HOA). Having a HOA in your park brings you several benefits. It is crucial to have a “group” of residents joined together when dealing with management or your park owner. There is definitely strength in numbers. A group of 50 residents can get much more done than any single resident alone. Should there ever be a need for litigation, you wouldn’t believe the impact of a group of 50 residents going into a court room to argue their case. How can 50 residents be wrong about something?

A HOA that is registered with the Secretary of State has additional benefits. The park owner must recognize such a group if and when he wants to sell the park. If you simply have a group, like a recreation group, this group has no such benefits. Unfortunately I hear of many groups actually being pro-management. Park owners love this because this is insurance against residents forming a group that will promote the rights of residents in the park. The park owner can use this to promote his profit making agenda.

CoMO-LAC is offering FULL membership for \$5.00/year to anyone belonging to an HOA. There are a few requirements. 1) The HOA must be pro-resident. 2) The HOA must have a Board of Directors, 3) The HOA must have regular meetings. An HOA may join CoMO-LAC by sending a list of members and a check for the **total number of members** (\$5.00 each). In turn the HOA will receive a unique membership number from CoMO-LAC giving each member FULL rights. We also ask the HOA to copy and distribute the monthly newsletter to its membership. Obviously this saves CoMO-LAC the time and expense of printing the newsletter and mailing it. Also CoMO-LAC does not have to keep track of the membership of HOA, the HOA will do it for CoMO-LAC. We believe this is teamwork at its best. We both win. CoMO-LAC will print the newsletter for an additional \$5.00/member/year.

Consumer’s Union has a terrific article “Tips for Organizing Your Manufactured Home Community” at <http://www.consumersunion.org/other/mh/organizing-03.htm>. It discusses How to Begin: Meet your Neighbors, Getting Down to Business: Prepare and Hold a Meeting; Building a Membership Base: Develop an Issue; Growing the Organization: Plan for the Future and Conclusions. Write or email CoMO-LAC for a copy of this terrific 6 page article.

## **BLUE STAR (SYLMAR) FORMS HOME OWNERS ASSOCIATION**

Congratulations to the residents of Blue Star Mobile Home Park in Sylmar for forming their own HOA, with the help of CoMO-LAC. The first scheduled meeting was to be in El Cariso Park on Saturday, January 14th, but a heavy rain made that impossible. CoMO-LAC quickly made up new flyers, rushed to Sylmar and volunteers passed them out in the rain. Many attended the Sunday meeting in spite of the cold wind. CoMO-LAC asked for volunteers to form a Board of Directors. The new Board of Directors include Glenn Bell, President, Jean Bell, Treasurer and Pat Burcham, Secretary. They held their second and third meetings in the park clubhouse (January 22nd and February 5th) and it was standing room only. Many residents are Spanish speaking, so the meeting was presented both in English and Spanish.

Remember, 156 spaces (186 total) of Blue Star are in the County of Los Angeles, without rent control. They face a \$129.00 rent increase by Sierra Management Corp., Inc. Also a new resident must pay \$850.00 space rent. Sierra is essentially TAKING any equity they have. Local Councilman Pedia’s office is involved, and an attorney from NCAAP is supposed to speak to the group. CoMO-LAC has recommended consulting with an attorney knowledgeable in mobilehome issues. We wish Blue Star residents good luck. CoMO-LAC is here if you need us. The rent increase is effective April 1, 2006!

### VOLUNTEER OF THE MONTH DENISE HARRIS

I would like to first mention the small group ladies and gentlemen from Canoga Mobile Estates. They can tell you how much work has been involved in collating, stapling, folding, and labeling your newsletter every month. In fact I want to mention them again because of the time and effort they have given CoMO-LAC. They are Ruby Kline, Jose Walsh, Sonny and Harold Levinson, Jeanette MacDonald, Peggy Howard, Carol MacEwan, Tony and May Sansone, Carol Morgan, and Harry O'Grady. ( I'm sorry if I've left anyone out.)

Now why would I mention this great group of volunteers, when **Denise Harris** is the volunteer of the month. **Because Denise has just donated a Ricoh 1035 Copier to CoMO-LAC.** It will do almost everything - print (2-sides / duplex), sort, and staple. I'm sure our Canoga group will be disappointed that they no longer have to slave so hard putting the newsletter together (just kidding). We still must fold, staple and label, but the time consuming task of collating is a thing of the past. In fact this saves me a lot of time. My HP 4250 prints 45 pages a minute. I'd print one side, then flip them and print the other side. I would do this for each page, for all 800+ copies. Now I just sit back and relax—the copier does the work. It still takes about six hours of printing.

Now about Denise. She has been doing printer/copier repair for many years, teaches others her craft and travels all over the world for her business. We met about three weeks ago at Bette Stone's in Simi Valley (Tradewinds). Bette had received a CoMO-LAC flyer sent last year. Bette is active in her park, so we decided to get together and talk. Now Simi Valley will have a general area recruitment meeting on March 8th and we will use our new donation to do the flyers.

**THANK YOU, THANK YOU FOR SUCH A WONDERFUL DONATION**

### WHAT YOU CAN DO

1. Form a Home Owners Group in your park. Read the article on Page 2. If you need help forming it, call CoMO-LAC. **We will be in Tradewinds, Rosamond on February 25th at 11a.m.** helping Lucille Fried form a HOA in her park.
2. Take an interest in your park. That means go to HOA meetings and help out. Your participation can only help both you, your friends and your neighbors. Take pride in your space. Maintain the landscaping and your mobilehome. All these steps can increase the value of your home. Get to know your neighbors. Have a social element to your meetings.
3. Support CoMO-LAC. We hope you can see we are working hard to develop an organization that will make a difference. We thank those members who have sent in an additional \$5.00, \$10.00 or even \$50.00. This means that we can reach more mobilehome owners and let them know we're here for them. EVERY mobilehome owners needs to know that. It seems as if there are serious problems in most parks. Please consider making a donation to the new LEGAL FUND, or to help pay the cost of FLYERS.
4. If you live in the City of Los Angeles, volunteer to be on the newly formed Mobile Home Owners Task Force. We expect to get the word out to many government agencies about our situation.

## Oxnard Seniors Could Be Evicted

The following article was published in the **Ventura County Star** on **January 26, 2006**

By Charles Levin, [clevin@VenturaCountyStar.com](mailto:clevin@VenturaCountyStar.com)

Annie Brownstein felt secure about where she would live out her twilight years after buying a mobile home in Oxnard's Royal Palms Mobile Home Community in the early 1990s.

Brownstein now fears a large rent increase could eventually force her to move. And in that case, she probably would have to sell her mobile home, because there's no place else in Ventura County to park the double-wide unit.

The city of Oxnard in July allowed owners of the mobile-home park to increase space rents by 18.6 percent. Royal Palms LLC, which bought the park in 1997, originally sought a 71.4 percent increase, but the city's hearing officer rejected it. Royal Palms appealed to the city's Rent Review Board in October, to no avail.

The officer and board, however, granted Royal Palms' request that the lower, approved increase be retroactive to November 2004, costing mobile-home owners an additional \$457 to \$1,028, according to Karl Lawson, compliance services manager with the city's Housing Department.

Most owners have agreed to pay that bill, Lawson said. But on Monday, Brownstein and nine other tenants got eviction notices, giving them 60 days to pay up or pull out their mobile homes, according to Ruthann Gacey, president of the homeowner association there.

Mike Cirillo, president of Santa Ana-based Star Management, which manages the 150-space park in the city's Five Points neighborhood, said the notices went only to tenants who had not responded to previous letters requesting the retroactive increase money.

"It's not our intent to throw somebody out because of an inability to pay because of this rent increase," Cirillo said Wednesday, adding that his company has worked out payment plans with some park residents. "We're trying to have a dialogue or forum with these folks, and we're still optimistic that will occur."

With the 18.6 percent increase, Brownstein's monthly rent went from \$361.15 to \$428.47 -.Almost \$70 more a month. Brownstein said she designed a payment plan for her \$776.62 past-due amount and made the first of three planned installments.

After getting the eviction notice, Brownstein said, she paid off the rest of the debt Tuesday.

Brownstein, 69, lives on a monthly income of \$790. In 1993, a disabling injury forced her to leave a technician's job at St. John's Regional Medical Center in Oxnard.

She shares the mobile home with her grown daughter, who helps out with expenses. "If not for her, I could not afford to live here," Brownstein said, adding that she's not sure where she would go if forced to move.

"I don't know. There's so much I don't understand."

Brownstein is typical of the park's residents — mostly seniors living on fixed incomes, Gacey said. For many, mobile homes offer the only in a county **(Continued on Page 5 "OXNARD")**

(OXNARD, Continued from Page 4)

affordable housing where the median price for new and existing homes and condominiums is \$630,000. Monthly space rents at Royal Palms run from about \$340 to \$690, Gacey said. In Ventura County as a whole, rents for mobile-home spaces range from \$300 to \$900, with some beachfront locations running higher, said Victor Hernandez, a mobile-home salesman for Ventura-based Macy's Homes. Vacant spaces don't exist. Buying a mobile home on a space is one thing. But finding a vacant space to move a home to is impossible, Hernandez said.

"There are no available park spaces in the county," Hernandez said. "They've been full up for four years."

Under Oxnard's 1983 mobile-home rent control ordinance, park owners can impose annual rent increases according to an inflation-based formula. Owners, however, can seek larger amounts to cover the costs of property improvements, Lawson said. But owners must audit their books and present the findings to city officials and the rent board.

Royal Palms sought the 71.4 percent increase based on several factors, including current market rents and more than \$1 million in improvements it made, such as new roads and a new water system, Cirillo said.

Park owners are still unhappy with the city's decision to allow the lower increase. In December, Royal Palms sued the city to reverse the rent board's decision and impose the larger rent increase. A hearing is set for March, Cirillo said.

An attorney for Royal Palms did not return a phone call Wednesday.

The city has hired an outside law firm to defend the case, City Attorney Gary Gillig said Wednesday. He said the suit is a challenge to the city's rent control ordinance.

"I believe the city's position is the correct one," Gillig said, "and we'll provide a vigorous defense of the Rent Review Board's decision."

(GOLETA, Continued from Page 1)

One of the most puzzling facts about this whole matter is that groups such as GSMOL, CMRAA, and MHOC have failed to realize the importance of this case. There is a feeling among many of the mobile-home residents in neighboring communities in Santa Barbara County (which has a duplicate ordinance) that should the Goleta ordinance fail to be upheld, that their county regulated ordinance would fall as well. Numerous Santa Barbara parks have sent small donations to help Goleta's mobilehome owners, and believe me, the Goleta Coalition appreciates them all. We're literally in the fight of our lives. In the park that Guggenheim owns, he has also filed with the City to convert the park to a subdivision (condo-type), and has **filed to CLOSE the park as well**. And to rub a little salt in the wounds, he is preparing to file suit in Superior court to overturn an arbitrator's decision regarding our 2005 rent increase (that's right, 2005---we have already been noticed for our 2006 rent increase to begin April 1).

All we can say about this whole matter is that it never ceases to amaze us that certain people with such enormous wealth can so easily put on a pair of blinders and simply not care about the financial destruction that he can cause for so many.

Article written by Dennis Shelly, Spokesperson, Goleta Mobile Home Owners Coalition (GMHOC), 7465 Hollister Ave., Sp. 423, Goleta, CA 93117.

### Antelope Valley Group Nominates Two For Vice President Post

Two persons, Floyd Gilbert of Quartz Hill MHP and Larry Skaggs of Locust Grove MHP, were nominated for the position of Vice President of the Antelope Valley Group of CoMO-LAC at its February 11th meeting at Hacienda Mobile Estates. The candidate elected to this Vice President post will be presented to CoMO-LAC's Board of Directors for installation as an official member of the Board representing the Antelope Valley and surrounding areas.

Floyd Gilbert, has been active for several years as President of his Park's GSMOL Chapter and Homeowners Association and has brought several new members from his Park into CoMO-LAC. Larry Skaggs, a new member of CoMO-LAC, most recently was President of Advisory Board for Senior Citizens in Los Angeles County and has experience as an L.A. County representative for Low Income Senior Housing.

The election of the new Vice President will be held at the AV Group's meeting on **Saturday, March 11th, at the Boulders I MHP at 11 a.m.** Details and directions for the meeting will be announced in the Antelope Valley press prior to the meeting date.

The AV CoMO-LAC group was pleased to have CoMO-LAC President, Frank Wodley give those in attendance an overview of the progress we have made during the past year. Frank (in spite of a few relative comments from Group President Ralph Weber) explained the reasons for CoMO-LAC going statewide, and indicated that with everyone's help CoMO-LAC could possibly have 2,000 members by the end of the year.

There were 30 mobile home owners present at the meeting; 16 attending were paid members; nine of those present at the meeting became paid members. A few members laid out their problems for discussion. Tom Bokkilla of Friendly Village MHP told everyone that management is thwarting his attempts to sell his mobile home and had received a stay of eviction for a week, when he will then appear before a judge to get a decision. The Bokkilla's have a good shot at winning this one and we will let you know the outcome in next month's newsletter.

There was some discussion about rent control. The City of Palmdale has Rent Control set into its civil code while the City of Lancaster has Rent Arbitration. There is no Rent Control or Arbitration for mobile home owners who live outside of city limits in Los Angeles County. Georgia Theopolis, whose brother had been involved in Lancaster's local politics, said she would try to find out how and how often members of the Lancaster Arbitration Board are appointed, so our CoMO-LAC group could possibly get representation in the Rent Arbitration Board.

Kenneth Propps who lives in Sagetree Village in Palmdale, a very large mobile home family community, said he would try to arrange for the AV CoMO-LAC group to meet at his park in April.

For comments, advice, or information about the AV CoMO-LAC Group, we invite all Antelope Valley mobilehome owners to contact one of our officers: President, Ralph Weber, 661-723-69097; Vice President (Emeritus) Ben Renshaw, 661-942-2905; Billie Thomas, Secretary, 943-3119 or Treasurer Sunny Christensen, 661-725-5086. (Article by Ralph Weber, Antelope Valley Group President)

**MEETING WITH STAFF OF LOS ANGELES**  
**COUNCIL MEMBER GREG SMITH**

On Friday January 27th CoMO-LAC met with staff members Sandy Clidesdale and Cindy Smith (wife of Greg Smith) from L.A. Councilman Greg Smith's office. CoMO-LAC called the meeting to discuss the situation with the Mobile Home Park Task Force (MHPTF) which is under the Rent Adjustment Commission (RAC) in the L.A. Housing Department. This situation was presented in a CoMO-LAC newsletters from June, July and August 2005 (request copies if you would like to read what was said). Basically the MHPTF, which is supposed to represent the interests of mobilehome owners in the City of Los Angeles, is stacked in favor of park owners and their representatives. CoMO-LAC wrote to Anna Ortega, Assistant Director of the rent stabilization division making several points: 1) Include in the Guide whether task force members represent mobilehome owners or park owners. 2) Give contact information for all 3) Include representatives of resident advocacy organizations on the Task Force, and 4) Make a resident advocacy organization like CoMO-LAC the Ombudsman for the City of Los Angeles rather than David Evans, southern regional representative of WMA (Park Owners group). Ms. Ortega's reply was she would change nothing.

The Staff from Greg Smith's office felt we had some good points and they will promote our suggestions to the Housing Department. They did make some other observations. The MHPTF has not met since July 2005. When it meets the mobilehome resident members have little say in the agenda. There are no minutes and your representatives do not know if recommendations are made to the Rent Adjustment Commission. So a suggestion was made that mobilehome owners form their own Task Force, made up only of mobilehome owners. The Task Force would submit recommendations directly to the Rent Adjustment Commission. Of course recommendations would have to involve the Rent Stabilization Ordinance.

**LET'S DO IT! LET'S FORM OUR OWN "TASK FORCE"**

The present MHPTF, organized by the L.A. Housing Department, to make recommendations to the Rent Adjustment Commission, **IS NOT WORKING FOR US**. In fact it is working against us. Let's take the suggestion from Greg Smith's staff and **form our own TASK FORCE**. So who can join? Any mobilehome owner that lives in the City of Los Angeles comes under the RSO. In fact there are 58 mobilehome parks and 6,600 owners in this group. Most of the parks are either in the West SFV, East SFV, or Harbor City area. So initially we will limit membership to owners who live in the City of Los Angeles.

What are the goals of our TASK FORCE. Initially we will report our findings to the RAC committee at the Housing Department. We will publish the names of TASK FORCE members in THE VOICE and we will send flyers out to parks without CoMO-LAC members, so as many home owners will know about us as possible. We will gather information on problems affecting mobilehome owners here in the City of Los Angeles. Remember, what we form here can and should be used in other communities.

We may decide to send our recommendations to the park representatives on the present MHPTF and ask them for their comments and suggestions. At least we will begin to expose some of the harassment, intimidation, and violations of the Mobilehome Residency Law. We feel this is a BIG step in the right direction. **PLEASE VOLUNTEER—much of our work can and will be done by email.**

**ANOTHER STRATEGY BY PARKS TO  
MISLEAD AND INTIMIDATE RESIDENTS**

Our friend and member Lucille Fried of Tradewinds, Rosamond, sent us another packet of information from her park (again without the kitchen sink). It seems as if management is again trying to evict residents there, freeing spaces for new mobilehomes. The following is the 7 day notice Lucy and other residents have received from their manager:

**SEVEN DAY NOTICE TO COMPLY WITH PARK RULES AND REGULATIONS**

YOU ARE HEREBY NOTIFIED that (1) you may be required to move from the mobilehome premises; and (2) you may have to deliver possession of said premises to the undersigned, who is the authorized agent of TRADEWINDS MOBILE ESTATES, and/or an injunction may issue against you unless you: Comply with Park Rules and Regulations as follows:.....(applies to parking in guest spaces without management's approval)

You have violated this rule by (parking in a guest space). In order to comply with this rule, you must (stop parking in a guest space).

This is a statutory notice on our part to give you the opportunity to handle the above without the embarrassment of an eviction.

If you fail to comply with this notice within seven (7) days from your receipt hereof, we will be compelled to serve you with a Sixty-Day Notice Terminating your Tenancy in the mobilehome park, and/or seek an injunction as allowed by Civil Code Section 798.88.

**Our Member Mary Hahn Writes about her Notice**

I had a similar situation concerning TV cameras I had professionally installed because of a neighbor causing trouble. I received a 7-day **eviction** notice to immediately surrender my mobilehome to the management or take down the cameras. The neighbor claimed the cameras were invading his privacy by being aimed into his yard. I consulted a lawyer who said I could not aim the cameras into the yard, but I had a right to protect my property. So that's how I replied to their notice. I never received an answer from the manager to my letter containing the lawyers advice. Incidentally, these cameras cut out a lot of the trouble the neighbor was causing, because if he did anything to the yard or the house, it was on a tape.

I have found that any notice from the park must be answered in writing. Sending management a letter advises them that you are aware of the situation, and are taking care of it, even if it is made up. **My answer to these notices would be (1) I am aware of this situation, and am taking steps to see that it doesn't occur again, or (2) if there was no violation, answer and say I am not aware of any infraction of this rule. In addition a homeowner who is having problems with the park manager should never discuss these without someone else being present.**

Many homeowners do not respond to notices from the park, but they must! If the park receives enough of these replies, they will stop this harassment because it is taking up too much of their time. Further,

Section 798.88 (b) states the “park owner” has to show reasonable proof of a continuing or recurring violation of a rule or regulation. Is this really the case of Lucille Fried of Tradewinds? If this is becoming a tactic of parks and is the practice in a particular park, then that information should be collected and presented to the court in case a forcible action is taken.

### **CoMO-LAC OBSERVATIONS & THE MOBILEHOME RESIDENCY LAW**

CoMO-LAC suggests you do not ignore park newsletters, notices or other communication, especially those that are contrary to the Mobilehome Residency Law. Mary Hahn has some good advice and we concur with her. If you have further questions, please call us.

Although the **NOTICE** given to Lucille Fried does not violate the Mobilehome Residency Law, it is very intimidating, especially to someone not totally familiar with the law. **That’s the intent of the notice—to frighten.** Parks allow “violations” all the time. I’ll bet you can drive into any park and find all sorts of violations—weeds and other landscaping violations, more than 110 sq. ft. of storage, personal items stored outside, etc. One year a park may give notices for every little thing, the next year they may not give one notice. The bottom line is probably money and control. Often a park wants to focus on a group of residents that have been outspoken. The park would love to evict them, get their spaces to locate new mobilehomes, increase space rents, increase the value of the park, and make additional money, all at the same time.

Let’s look at what the MRL says about these seven day notices: Section 798.56 (d) “states the management is **obligated to demonstrate** that a rule or regulation has in fact been violated.” If you question them about the rule they cite, they must show that a rule was indeed violated. In the case of Tradewinds, their claim that a rule is violated, in some cases, is not correct. Sometimes the violation does not exist. Sometimes the rule they quote does not apply to that resident (as a driveway awning is a requirement—it is for new mobilehomes, not for the older ones).

The law is somewhat unclear, so let us try to spell it out. If you receive a seven day notice for a legitimate violation, you **MUST** correct it within the seven days; otherwise the park can serve you a 60 day notice to terminate. If you **DO** correct it, no further action can be taken by the park. However if you violate the same rule or regulation again, the park can give you a second seven day notice. You can not do this more than three times. If you receive three seven (7) day notices within a twelve month period, the park is not required to again give you a 7 day notice, the park can immediately give you a 60 day notice to terminate your tenancy.

For the record, we are not attorneys. Laws are often ambiguous and open to interpretation. In fact we initially felt it was a violation of the MRL to give only one 7 day notice followed by a 60 day notice. We were incorrect! So if you receive a notice, you would be wise to consult with an attorney. Do not believe everything you read from management! Get some advice. And if you are being intimidated or threatened and you believe the park is misstating the MRL, please call CoMO-LAC. We can direct you to an attorney who knows mobilehome law. If you don’t, you could be evicted from the park and/or lose your mobilehome. We will write about an injunction, Section 798.88, 60 day notices, and Rules and Regulations in our next newsletter. This issue is too big for just one issue of THE VOICE. **(TO BE CONTINUED)**

## OUR PRESIDENT'S STORY

**In a way I hesitate to write this. It is very personal. But my story is like many others. And it shows the ruthlessness of some park owners and the plight of many mobilehome owners. It also shows something about organizations we believe are going to help us.**

### **THE BEGINNING**

I thought you might like to hear my story, it is like many of yours. I moved into Chatsworth Mobilehome Park in August 1998. I thought it would be a nice place to live, the park was well kept with mature trees, the streets wide, a nice clubhouse and pool. My wife had found an inexpensive single wide, the rent after the earthquake was capped at \$450.00. Certainly an inexpensive alternative to buying a house.

As with so many who have come to live in California's mobilehome parks, little did I know what was about to happen. Just three months after moving-in, the clubhouse was closed by the manager, citing vandalism. Residents liked to call the manager "Little Hitler;" She rode around the park on her golf cart as if surveying her territory, keeping the peasants in line. It was like living in Nazi Germany. Management did, and continues to have, those residents who side with management (they hurt everyone in the long run, just to get favored status).

My neighbor from hell was friends with management and together they made my life miserable for five years. I received many 7 day notices or friendly reminders for trivial or non-existent conditions. My neighbor said paint I was storing was a fire hazard—although the fire department said it was not. My letters to management written in my defense were ignored. And I was not the only one, many of my friends and neighbors were treated the same way.

### **FACING EVICTION**

In 2003 I was facing an eviction. After three 7 day notices to remove some tools and other items from a side yard enclosure (which the manager let me build so nothing would be seen from the street) the park plastered a 60 day notice on my front door from attorney Alston stating “

### **DESPERATION**

I needed someone to tell me what to do. Facing an eviction notice can be very scary, especially if you don't have the funds to consult with an attorney at \$200—\$300/hour or know someone who is knowledgeable. I made phone calls, and scanned the phonebook. Finally I found someone about 50 miles away who knew of GSMOL. He suggested that I have a meeting in my clubhouse and invite all residents to attend. He said he would talk about our park Rules and Regulations versus the Mobilehome Residency Law. So what happened? Actually I was too afraid to pass out flyers—where do I put them, will I get in trouble, etc. So nothing came of it. Ultimately I had to spend several hundred dollars to retain an attorney. He wrote letters to the park without much success.

### **ASSOCIATION WITH GSMOL**

Many of you probably know nothing about Golden State Mobilehome Owners League (GSMOL). GSMOL has been around for 44 years. Their membership in the early 1990's was over 90,000. They have been the strongest mobilehome owners group in the state of California and their focus is in Sacramento with their lobbyist Maurice Priest. They are located in Garden Grove, California, their membership dues are \$20.00, and they have a statewide volunteer network of hard working mobilehome owners. GSMOL has been responsible for many of the laws we see in the Mobilehome Residency Law.

In 2003 GSMOL Regional Manager Ralph Weber came to our park and installed a GSMOL Chapter. I felt relieved! Unfortunately the Chapter Board that was elected was **pro-management!** They held no meetings, they gave out incorrect information. Management loved it. In 2004 my friend Jean Mellen called GSMOL once again to come. Seventy irate residents attended the meeting. But the Secretary from the previous board stood up and said "This is an illegal meeting!" No one questioned her and residents left without accomplishing anything (by the way Jean had the permission of GSMOL to hold the meeting, so it wasn't illegal). Finally a month or two later with Milt Burdick, Zone C Vice President, in attendance, residents wanted to install a new board. The former manager volunteered, but residents quickly said no. I reluctantly volunteered to be Chapter President. With the help of my friends and family, our chapter grew to about 95 members (198 spaces in the park). I worked hard. We had monthly meetings. I would print flyers for the whole park for each meeting. My 8 year old boy would distribute the flyers in the park, sometimes alone, other times with his friends and my wife personally recruited about 30 new members.

### **SUED BY THE PARK**

Like many "active" residents who are advocates for the rights of mobilehome owners, the park didn't like me talking to residents, explaining their rights and bugging management for change. So they took me to court claiming I was stalking, intimidating, abusive and threatening the manager, i.e. guilty of unlawful harassment of the park manager.

The park served me with papers that were months old by someone pretending to be a resident of another park who needed my help—I let him enter my home and he served me the papers (actually this person was working for my park owner). Fortunately I had a meeting with an attorney scheduled for the very next day. The attorney went to the internet and found my court date was only four days off. I had to plunk down a deposit of \$1000.00. The manager, who was suing me "pro-per," came to court with eight of her friends and the attorney for the park, Robert Williamson, Jr, from Hart, King & Coldren. Fortunately we were able to get a continuance.

When we went back to court, Sally (not her real name), was on the stand most of the first day, crying, telling of the almost constant harassment from Frank. They did not want the court to view the lawsuit as Sally, the park manager, versus Frank Wodley, the GSMOL chapter president. The word GSMOL was not allowed to be spoken. This was that big hulk Frank Wodley versus the little, petit single mother Sally. When the trial continued after a weekend recess, Sally's attorney showed up with another document indicating several more incidents to corroborate their claim that Frank had been abusive, and threatening,

### **THE OUTCOME OF THE LAWSUIT**

Fortunately for me, the judge saw between the lines and confronted the managers attorney, stating:

"If the judge finds by clear and convincing evidence that unlawful harassment exists, an injunction shall (be) issued prohibiting harassment. That standard is more than preponderance of the evidence. It's less than beyond a reasonable doubt. But from what I've heard based on Sally's testimony, her testimony does not reach that standard in the court's opinion. So from now on she — the moving party, when it comes to attorney's fees, the moving party is proceeding at her peril from this point on. Perhaps ...the two lawyers ..might want to discuss this case..." A settlement agreement was entered into with a "confidentiality clause."

Neither party (GSMOL could) could discuss the terms of the settlement. In fact I gave a copy of the court transcript to GSMOL hoping they would defend my position. Alas, GSMOL never came to my park to explain that I was not guilty of any harassment. In fact I had been doing a good job. So our chapter died. **(TO BE CONTINUED NEXT MONTH)**

### Frank Wodley, CoMO-LAC President, and His Experience With GSMOL

I write this article to provide CoMO-LAC members, especially those you are also GSMOL members, an insight into GSMOL. I feel I am qualified to write this article as I have spent much time going to GSMOL Board of Directors' meetings, I personally formed and chaired a committee of eight GSMOL managers to write a "Recommendations Report" that was submitted to the leadership of GSMOL in July 2004, made countless suggestions to improve GSMOL, have attended the 2002 and 2004 GSMOL Conventions, was 0159 Chapter President for two years, Associate Manager of the San Fernando Valley, and have talked with and sent countless emails to GSMOL members, managers and Board members over the last four years.

If you read THE VOICE, you know I attended the Golden State Manufactured—Home Owners League (GSMOL) 2006 Convention in Costa Mesa on January 20th through 22nd. About 75 delegates from around the State of California came, along with perhaps another 75 observers. This year was almost a carbon copy of the 2004 Convention. I had suggested for this Convention GSMOL allow delegates and others have time to network among themselves — what better time since we are all together. I also suggested that GSMOL have a "round table discussion" between board members and attendees to frankly discuss issues and get feedback from the GSMOL leadership. Neither suggestion was implemented, i.e. NO networking, NO roundtable two-way discussion of issues.

I have continued to speak to the board and other active members and managers about such issues as GSMOL's Enforcement Legal Fund (ELF), GSMOL membership and financial problems. I have taken this position because my friends, my neighbors, and I have counted on GSMOL to lead the fight for our rights. After all, as written in the GSMOL Bylaws, **the purpose of GSMOL is "to promote the general welfare of mobilehome owners in the State of California."** Today we face more serious issues in our parks than ever before. We need a strong GSMOL to lead in the enforcement the laws that protect our rights where we live, in our parks and communities. What better way to promote our welfare. Even GSMOL President Steve Gullage has written "The Mobilehome Residency Law is just paper without enforcement." And we have written to GSMOL explaining that CoMO-LAC will work with GSMOL towards this goal

My concerns with GSMOL are not unfounded. A case in point: GSMOL has often had lengthy articles promoting the benefits of ELF to its membership. ELF funds collected from GSMOL members were to help members with legal fees. ELF seemingly is the silver bullet to enforce the Mobilehome Residency Law; however, I believe it was introduced to bolster a declining membership. The main issue with ELF, as I see it, is WHO will be covered and who is eligible to get funds. The February 2002 Californian published the criteria to fund ELF: "For homeowners in a single park to qualify for legal representation from the fund, they must have an active GSMOL Chapter, and a membership of at least 75 percent of the residents contributing to the fund." And No funds would be disbursed until the fund reached \$250,000."

Between 2003 and 2005 I was the President of my GSMOL Chapter. My family and I worked hard and reached 50% membership in our chapter; however I quickly realized it impossible to have 75% membership, especially with a group that was pro-management in my park. Why has GSMOL spent over 4 years promoting ELF when it was destined to fail - members couldn't meet eligibility requirements and the cap was too high. Thankfully GSMOL has now changed the cap to a more reasonable \$100,000. And the fund can now be activated because the cap has been met. But leadership continues to refuse to discuss the

issue: "who is actually eligible to get funds?" And new criteria to fund ELF have not been published. Yet GSMOL continues to ask members to donate to ELF. And worst of all, ELF has not helped one single mobilehome owner in its 50 month existence! **Not one! After over 4 years!**

**Enforcement** of our MRL and other laws that protect us **is critical**. Why hasn't GSMOL been enforcing the laws all along? GSMOL could have used a portion of members dues, couldn't they? Or the Legal Fund which has been available all this time. Shouldn't we expect more of GSMOL. I think so!

Of course GSMOL has a wonderful volunteer network—I too was a member as the San Fernando Valley Associate Manager for GSMOL. This team goes out to help mobilehome owners and continues to do a good job. It's too bad that GSMOL leadership does not give them more tools.

I've often heard, take a more active role in your community, vote, make a contribution. Well I now see that more clearly. **Mobilehome owners must take an active role in their defense.** Belong to an organization you know something about. Belong to an organization you believe in. Learn about the organization—keep an open mind. Don't join just because it accomplished something 10 years ago or because someone tells you to—get the facts yourself. Get other's knowledgeable opinions about it. Examine what it does and how it will address your needs. If your need is more legislation, then join GSMOL—that's what they're doing and where they spend their money. If you need help in your local park or community, perhaps you should think about joining CoMO-LAC. We are dedicated to helping you where you live. We want to give you the tools so you know either the answer to a problem or where to turn for an answer. We want to educate you as to what is happening in other parks. Perhaps the articles on Rent Control in this issue will strike a nerve - you might be facing a similar problem. Call CoMO-LAC and we will give you the information to get in contact with others who have had a similar problem. We are not interested in lobbying in Sacramento to get more laws, we strongly feel we need enforcement of the laws we already have. And actually there are many upper echelon GSMOL managers who agree.

It is my hope that GSMOL and other groups will see the value in working with, not against CoMO-LAC. So far I must report GSMOL is very upset about CoMO-LAC going statewide and feels threatened that CoMO-LAC will take members away from GSMOL. But let's look at the facts. There are about 5,000 mobilehome parks in the State of California, with about 650,000 spaces. If one considers two adults per space, that means there are 1,300,000 owners statewide. GSMOL has a membership of about 1.5% or 20,000 members. CoMO-LAC **is not** targeting GSMOL members, we are targeting all mobilehome owners, especially those who need our help, in parks who know nothing of any organization helping them.

As President of CoMO-LAC, my agenda is simple. I want to see CoMo-LAC make a difference. I want to assist mobilehome owners stand up for their rights by giving them the tools THEY can use to defend their rights. I've supported and worked hard for GSMOL. Why? Because we all need a strong GSMOL. We all need effective laws that DO protect our rights. That is obvious. But I've seen the hardships mobilehome owners face in their parks. It seems as if many mobilehome parks are not apart of our great country. It seems many of us live in a foreign place, where the landowner can have his way with us. He often intimidates, harasses, and violates our rights. This IS NOT the American Way. And I feel it will continue unless YOU and I stand together. One person or one group CAN NOT do it alone. If you are a GSMOL-member, write Tim Sheahan, our new GSMOL President. Suggest that GSMOL identify and network with all groups helping mobilehome owners. And ask Mr. Sheahan to help spread the word we're here to help. Doesn't it make sense all advocacy groups promoted each other? **PROMOTE CoMO-LAC!**

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### CoMO-LAC THIS AND THAT

1. Take a look at our “ad page” which begins this month. We would like to have two pages next month—**this will generate \$5,000.00/year income!** So we can use another 10 advertisers. Perhaps you or your friends would be interested. Business size ads are only \$20.00/issue, with NO set up charge. All the money goes to CoMO-LAC. Support those who advertise. We do not, nor can we make recommendations. Tell us your experience with our advertisers. If we hear anything negative, we will no longer accept their advertising.
2. Thank you, thank you to those members who are getting their **RENEWALS in early**. We appreciate your support. And this makes our work easier. We do not have the added cost and labor to send you a renew notice. So Thank You! Remember also, if you want to continue your membership and can't afford the \$15.00, just let us know. We are here for you and will support you! Without your \$15.00!
3. If you have a “situation” in your park, a problem or issue, please let us know about it. You are our eyes and ears and without you CoMO-LAC would have no newsletter. We never hear anything good happening in parks, so send us that information also. We are open to suggestions for new subjects; something we don't cover yet. If you would like to write an article on a subject regarding mobilehome life, please send it.
4. Some CoMO-LAC members have sent in their ballots to vote whether or not to go statewide as CoMO-CAL. So far the vote is 100% in favor. However we will not know the outcome until March 1st. We will announce the results of the vote in the April issue of THE VOICE.
5. Our website will be updated after the vote to go statewide. It will provide much more useable information and will promote CoMO-CAL to others around the state. Mobilehome owners will be able to submit and application on line and pay for it at the same time.
6. Your board has decided NOT TO CONTINUE the monthly San Fernando Valley Meetings. Few members show up, and although each meeting is productive, we need to change our focus. So beginning shortly CoMO-LAC will offer members EDUCATIONAL SEMINARS. We would like advance registration and will provide details of the Seminars. Subjects such as Rent Control in the City of Los Angeles, Interference of Sales, Know Your Mobilehome Residency Law, etc. will be offered. If you have an idea for a subject of a seminar, we're all ears. The cost of the Seminars will be nominal, perhaps \$10.00 or \$15.00. If we invite an attorney or someone who would charge us to speak, perhaps the charge would be higher.
7. If you are still reading this after a lengthy newsletter, congratulations! This is important. We are asking for donations to a **LEGAL FUND**. The money will be used only to help members with Small Claims Court or other litigation. None of it will be used for the newsletter or other expenses. **THIS IS IMPORTANT!** A legal fund will help to make us a viable organization. We need money to have clout. So send in whatever you can. All CoMO-LAC members will be eligible for the funds.
8. **We also need donations for flyers.** We intend to send out about 5,000 flyers—Simi Valley, South Bay, North East Los Angeles, Santa Barbara, and Sacramento. The cost will be approximately \$2,000. Our experience is positive - we get almost enough new members to pay the expense of the flyers. So please consider a DONATION towards the money to send out flyers. THANK YOU!

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