



THE VOICE

COALITION OF MOBILEHOME OWNERS

MARCH 2008 VOLUME 4 ISSUE 3

Let's Discuss Solutions: Enforcement of the Laws

This issue focuses primarily on Enforcement of the law and the need for you to be involved. Also the June 3rd election is fast approaching, tell all voters - NO on 98, YES on 99.

We hope you share this issue with your friends and neighbors. They need to be involved also.

The Threats. The threats are real. You know this if you've been reading THE VOICE. Threats to rent control—AB1309 and Proposition 98 (the Jarvis Initiative).

Other threats occur daily in many parks—interference of sales, out of control managers, failure to maintain, unfair business practices, harassment, intimidation, etc. Too numerous to count!

Is New Legislation "The Solution"?

We think not! GSMOL's focus has been and continues to be on new legislation; however legislation is at best a partial solution. New legislation usually focuses on new issues—like condo conversions. It is a reaction to an action by the park owners. It is defensive.

A new law becomes part of the civil code (MRL, Title 25). Laws must be ENFORCED to be effective, i.e. if a law is not enforced, it is NOT AN EFFECTIVE LAW.

A simple test: are you happier in your park today, than you were 5 years ago? Or 10, or 20? We think not. In fact, we believe there are more problems today than ever before. Stop and think about it. Has this focus on legislation really helped us?

Enforcement

Enforcement of civil code laws, like the Mobilehome Residency Law (MRL), requires an attorney who understands the MRL, a pot full of money, and time. And parks have attorneys who are very well paid and good at what they do. This is what every mobilehome owner is up against. When mobilehome owners are not willing to step up and enforce the law, park may be more motivated to disregard the law because there is "no downside." For example, when a park interferes with sales of our homes, they stand to make lots of money and lose very little if they are sued.

From a residents point of view, often the last resort is to retain an attorney and go to Superior court. The cost could be thousands of dollars, and the outcome is not guaranteed to favor resident. If the resident loses, he could also have to pay the costs of the park attorney! This simple fact often stops mobilehome owners from suing their park owner.

The Attorneys

Some mobilehome owners tell us about their experiences with attorneys: "I've called the attorney and he is not interested." The attorney wouldn't return my call." "The attorney wanted \$10,000 as a retainer." "I feel the attorney did not offer me a reasonable response, considering I had asked for nothing for free, but had offered to send him some material evidence and pay him for his time to go over it and just tell me my options."

Although we do have a list of qualified attorneys, often times it is extremely **See Page 3 Solutions**

THE VOICE is published monthly by the Coalition of Mobilehome Owners—California for the use of its members. THE VOICE welcomes articles of interest to mobilehome owners.

CoMO-CAL, Inc. is a non-profit 501(c)3 charitable organization committed to protecting the rights of mobilehome owners in the state of California.

All persons living in a mobilehome are eligible for membership on an equal basis, except management, owners and employees of owners.

FRANK WODLEY
EDITOR—THE VOICE
800-929-6061

Purchase your Park

David Loop (Aptos):
 831-688-1293

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

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

The CoMO-CAL Team

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

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

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

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

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

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

CONSULTANTS & CONTRIBUTORS

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

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

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

Jerry Lenhard
(Escondido): 760-745-3734

David Loop (Aptos)
831-688-1293

Failure to Maintain Attorneys

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

Attorneys—MRL Issues

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

Jim Holmes (Ventura):
 805-642-2781

Kristine Awalt (Sacramento):
 916-927-7311

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

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

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

Basta (Los Angeles): 213-736-5050

Basta (Lancaster): 661-718-0599

Adrian Andrade (Santa Maria)
 805-928-3651

Ken Carlson (Idyllwild):
 951-659-6043

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

Mold Attorneys

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

Solutions continued from Page 1. difficult to find one you can afford, and one who is both qualified and willing to take your case. If you have had good experiences with an attorney, please let us know!

The Wrong Foundation

Remember what Donald Devore wrote in his book “Mobilehome Wars (available thru CoMO-CAL for \$10):”

“The reason I say this is to impress upon you that the only way we will end the “Mobile Home Wars” is to get rid of, and bury the Mobile Home Landlord/Tenant Laws forever. This law should be repealed in every state that uses it. Existing Real Estate Land-lease Law is the proper law to use to regulate manufactured housing on leased land. The Mobile Home Landlord/Tenant Laws will never protect the dual property relationship that exists in Manufactured Housing Rental Communities. California, Colorado, Arizona, Florida, and other states have spent 27 years in frustration trying to make this law work. It will never work because it is the wrong premise of law in a land-lease relationship.”

Real Solutions

What have you read in THE VOICE about possible solutions? Organization, right? Uniting, right? Being involved...

The solution starts with you. YOU ARE THE SOLUTION, not CoMO-CAL. We will assist you; however no advocacy group can do anything for you unless you first help yourself.

In other words, we do not have ESP. You have to come to us when you need solutions. Don't expect us to come to you.

Last month we wrote a column “Let's Make It Simple.” We listed the solutions: get educated, be informed, be active, form a HOA in your park, network, belong to a statewide advocacy group, and get others on board.

Four Cents A Day

If just 10% of mobilehome owners joined CoMO-CAL, we wouldn't have nearly the problems we have today. And if they can't afford four cents a day, we will let them join FREE. NO ONE can say “I can't afford to join CoMO-CAL.” Simple as that!

Be Active

A first step: Take an interest in park issues. Help form a CoMO-CAL chapter and support it. It can also be a fun group—have potlucks, play bingo, etc. It must be PRO-RESIDENT!

Form Relationships

This requires communication. Find friends and neighbors you can trust. Build relationships. Any strong group requires communication, and trust.

CoMO-CAL has a strong relationship with the Modesto Advocacy. Why? Because we communicate and trust each other. When we send them an email, they respond quickly and visa versa.

CoMO-CAL wants to form a relationship with every park in California. But this requires your willingness to communicate and trust us.

What Happens When We Are Organized?

We will know where the problems are. We can put bad managers on notice we are watching them. We can picket and demonstrate. We can get the media involved. We can go to our City Attorney. We can pursue this as a “senior abuse issue.” Maybe we can get grants to help us.

We can't fight a war without an army! We must organize. That is our only chance. Pledge you will help us. Get a new member / make a donation.

Editors Note: I wrote this article 2 weeks before receiving the article by Bruce Stanton (pages 4 and 5); however the key points in each are the same! Please take the time to read each one.

ENFORCE YOUR RIGHTS...ITS UP TO YOU! By: Bruce Stanton, Attorney

As I travel throughout California meeting with mobilehome residents, the issue of “enforcement of the laws” is almost always discussed. Homeowners want to know how they can ensure that a park owner follows the law. They want to know what can be done if the Mobilehome Residency Law (MRL) is violated, or if they are suffering from unfair treatment not found in any specific law. Usually, they will ask me something like: “Who is going to protect me?” or “Who will enforce the laws for me?” Expecting an easy answer that gets them off the hook, they may not always like my response. But it is important that I communicate reality to them. And so my answer usually ends with the sentence: “It’s up to YOU!”

For the last 30 years, many laws have been passed at the state and local level which protect mobilehome residents. Mobilehome resident organizations annually wage battles in Sacramento to pass new laws that are needed and to fight against laws that would damage the interests of residents. Passing protective laws is certainly an important part of providing protection to residents. In many cases it is an important first step towards righting an injustice.

But once the law is passed, who enforces it? If a park owner violates a law, who typically is responsible for seeing to it that justice is done? And who needs to be watching carefully to see that laws are not violated? The answer to each of these questions is the same: It’s YOU! The plain truth is that laws do not enforce themselves. The most detailed and perfect statute can be drafted, carried and passed through the houses of legislature. But until someone stands up to demand its enforcement, it is only a deterrent. Sometimes just having a deterrent in place is enough to discourage violation of the law. But often times it is the person who the law is designed to protect who must stand up, “blow the whistle” and simply say: “Enough is Enough!” Only when a resident decides to take a stand and do something about it will justice truly be accomplished in most cases.

There are some laws which can be enforced by government authorities. Most local rent ordinances, for example, state that a park owner who

violates the law could be guilty of a misdemeanor. If a resident believes that a violation is occurring, he or she should contact the local City Manager or City Attorney to determine if the local government can or will enforce the law. This is always preferable, since the public officials whose salary we are paying can do the work, and the resident can be spared the cost of hiring his or her own attorney. But most laws do not work this way. Few violations of the MRL, other than certain nuisance actions, will be enforced by local or state governments. MRL violations are civil disputes which need to be handled by the civil courts. Many times this requires the representation of an attorney, or intervention by a mediation service. In these cases, the burden of enforcement is clearly on the residents.

So what does enforcement look like? What does the resident have to do? The following are some simple steps to remember as you contemplate how to enforce your legal rights.

1. **KNOW YOUR RIGHTS.** There is no substitute for this. Every mobilehome resident should have a copy of the MRL, which is distributed by most park owners annually. You can go on line to download a copy of the complete MRL for free at: www.sen.ca.gov/mobilehome. You can write to the Senate Publications Office in Sacramento to purchase a copy for \$5.25. Or any resident should be able to go to the park office and request a copy. The MRL requires a park owner to distribute a copy to all residents each year where a “significant change” of the MRL provisions is made by the legislature. Also find out whether your local city or County has ordinances relating to rent control, park conversion or condominium conversion. Read these laws and try to understand them. Ask questions of your neighbors or the organizations of which you are a part if you do not. You can’t know if your rights are being violated until you first know what your rights are!

2. **BE VIGILANT.** Once you know the laws, you need to be watch carefully to ensure that no violations are occurring. This requires one to pay attention. Read the notices that you receive. Review your rent notices carefully. If something seems like it isn’t

right, the chances are it may not be. It may be necessary to watch out for your friends and neighbors living in the park who don't know how to be vigilant, or cannot understand their rights due to age, infirmity or language barriers.

3. **ORGANIZE AND UNITE.** A common reaction from residents faced with a violation of their rights is to shrink from the task because they are afraid of how the park owner might retaliate against them. Left alone to fend for themselves, they often feel inadequate, intimidated and afraid of the consequences. And they might be unable to afford an attorney or the costs of enforcing their rights on their own. But if they unite with others, the possibilities might be endless. If 20 residents unite, each one has the power and finances of 20. If 100 residents unite, they combine awesome financial power and influence. This can occur in various ways. Join a state-wide organization to become educated and help support state-wide causes, such as the defeat of Proposition 98 in June. Join your local park association. And band together when necessary to fight unfair rules, unauthorized rent increases or pass throughs, or to oppose park conversions. In each case, residents send a powerful message to park owners that they speak with one voice, and cannot be individually intimidated into silence.

4. **DO NOT BE INTIMIDATED.** Fear of retaliation has prevented many residents from standing up for their rights. I can never guarantee that a resident will not be on the receiving end of harassment or intimidation. Notices to pull weeds or paint the mailbox might come more regularly. The park might be watching for each and every violation of the rules, no matter how small. This kind of conduct comes with the territory in many cases, and residents should be on their guard. But it should be remembered that the park can NEVER evict anyone without just cause. No one should abandon their rights due to threats or intimidation which has no basis. Such conduct by management could result in violations of the MRL that would entitle the resident to recover civil penalties for "willful violations". If the park owner thinks that a resident can be easily intimidated, they are more inclined to try and do so. But if a resident makes it clear that he or she will not back down from the enforcement of their rights, no matter what it takes,

the harassment may stop. And a resolution to the problem becomes far more likely.

5. **GET QUALIFIED HELP.** If the resident determines that the City Attorney or local government will not be involved, and the resident or group of residents cannot handle the matter on their own, professional help should immediately be sought. Look for an attorney in your area who has expertise in mobilehome law. Get proper advice about the available options. If litigation is required, hiring an attorney is a must.

6. **STAY COMMITTED.** Often the enforcement of rights takes time. This requires the residents to stay engaged for the long haul. The park owner's strategy might be to wear down the will and incentive of the residents. Don't let that occur! Once you start the process, keep at it. Invest your time, your talents and, where necessary, your money. After all, you are protecting your home, and your way of life. Otherwise, all that you have previously put into the process could be lost.

7. **SUPPORT THE PASSAGE OF STATE AND LOCAL LAWS.** It is critical that each mobilehome resident join the effort to pass good laws and defeat bad ones. Stay tuned to what is happening both in Sacramento and your own town. Join as many organizations as you can, so that you will be well informed about how to help pass needed legislation. And once those laws pass, read them so that you will know your rights (this takes us back to Step 1).

Any resident can do all of these things if they are willing. If each does his or her part, mobilehome owners can be a mighty force to be reckoned with. Remember, it all starts with YOU. YOU have the power. YOU just need to be willing to use it!

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

Editors Note: CoMO-CAL employees Mr. Stanton to write articles and answer legal questions for us. This article was written exclusively for CoMO-CAL and for no other advocacy group. We thank Mr. Stanton for his assistance.

L.A. CITY ATTORNEY ROCKY DELGADILLO FILES CRIMINAL CHARGES AGAINST OWNER OF NEGLECTED VALLEY TRAILER PARK

FRIDAY, FEBRUARY 1, 2008 (213) 978-8340

Criminal Complaint Alleges Residents Forced to Drink Out of

Garden Hose and Live in Hazardous Conditions

LOS ANGELES – Los Angeles City Attorney Rocky Delgadillo today announced his Safe Neighborhoods Division has filed criminal charges against two corporations and their executives for failing to maintain safe and habitable conditions at a Van Nuys trailer park.

Hedamar Development, Inc, President Hedy Magna and Vice President Mark Magna, as well as Valley MHP, LLC, were each charged with six criminal counts for unsafe electrical equipment and wiring; unsafe plumbing in the laundry facility; failure to provide each lot with a drinking water outlet; permitting contamination of drinking water; and failing to connect units to outlet with approved gas connectors. Each count carries a maximum penalty of 30 days in jail and/or a \$400 fine.

The owner of the property could face suspension or revocation of its permit to operate a trailer park facility and may face additional civil penalties

from the California Department of Housing and Community Development (HCD).

The Woodley Trailer Lodge is a 26 space facility built in 1926. Inspectors with the HCD first received complaints in November 2007 and found dilapidated and missing electrical service equipment and exposed live conductors in 25 spaces. The laundry room had been demolished, leaving open drains and a lack of laundry facilities for residents. In addition, residents were forced to use a garden hose for drinking water in 25 spaces.

Violations were noted and the owner of the property required to immediately correct all hazardous conditions. On December 17 and December 28, 2007 the park was re-inspected noting little progress in addressing the violations.

Results of the investigation were forwarded to City Attorney Delgadillo's Safe Neighborhoods Division for prosecution by Deputy City Attorney Tamar Galatzan.

Arrest is scheduled for March 3 in Department 101 of the Van Nuys Superior Court.

Apartments

Re: Rent Control. In Larry Gross's letter about rent control he made grossly inaccurate statements. First, under the referred to ballot initiative, no tenants would lose their rent-controlled apartment any easier than under today's laws. Only by voluntarily vacating their unit would they lose it.

Gross also lambastes all apartment owners as wealthy. The fact is that most apartment owners

are mom-and-pop owners who have toiled hard to be able to invest in property, and then they are required to subsidize other people. Even the current redistribution fees the owners are required to pay tenants to vacate exceed a whole year's rent.

Victor N. Viereck, Valley Village

Editors Note: Larry Gross runs CES, Coalition for Economic Survival, a tenant's advocacy group in L.A. He is working hard to protect rent control and is against Proposition 98.

The California Association of Realtors Opposes Rent Control

I am a Realtor in Santa Barbara and a mobile home owner in a rent-controlled park. I have discovered that the California Association of Realtors (C.A.R.) is the biggest and strongest force against rent control in California. It always have been against rent control.

For instance, it was C.A.R. which sank AB 1542. AB 1542 would have helped protect residents in rent-controlled parks from having their parks forcibly converted to condos. Condo conversion would result in the loss of rent control. The bill was vetoed by the governor, who acted according to instructions in a letter sent to the governor from C.A.R. I have a copy of the letter.

C.A.R. also supported AB 1309, which would have gotten rid of rent control over a several year period, and would have immediately rendered the homes undesirable for a New Buyer. C.A.R. even had its staff at the entrance to the state Assembly door to try to convince Assembly members to pass AB 1309 when the vote was to come up.

On the June ballot, there will be a measure called Proposition 98, also known as the Jarvis Initiative. Prop 98 would instantly make the equities of rent-controlled mobile homes worth little more than scrap by the manner in which Prop 98 would get rid of rent control for anyone wanting to buy your home. C.A.R.

supports the proposition.

Worse still, C.A.R. opposes Proposition 99, the proposition that would nullify Prop 98. Prop 99 would also provide more protections to our mobile home rent control.

Almost all California Realtors, including myself, are members of C.A.R. A number of us Realtors in Santa Barbara and San Luis Obispo have sent many communications to the C.A.R. leadership explaining to them that getting rid of rent control would mean that over 100,000 California homeowners would immediately lose their equities. We have explained to them that if there was no rent control for new Buyers, there would be no Buyers.

But we need more voices to convince the leadership. There are over 200,000 members of C.A.R., so we need more Realtors to speak up. **If you know a Realtor, please ask the person to tell the C.A.R. leadership to stop opposing rent control.**

It would also help greatly if you were to explain to the C.A.R. leadership what losing rent control would do to your home value.

Here is the contact info for the C.A.R. leadership:

James Richard Richard Realty 805-698-6929
richardrealty@aol.com

Not USSR

Re Rent control: Relieving rent control in L.A. is fair. The cost of owning income property has skyrocketed at a percentage far beyond that of present rent controls in L.A. If landlords can't change fair rents, they will be forced to convert to condos, or go out of business in L.A. It's simple arithmetic.

Rent control in Santa Monica has caused a shortage of rentals, just as gasoline price caps in the 1970's caused a shortage. If priced too high on the other hand, units won't rent. The market will regulate rents fairly for all. This isn't the USSR.

Charles L. Murray, Moorpark Letters to the Editor- L.A. Daily News

Meet Your CoMO-CAL Leaders - Frank Wodley, CoMO-CAL President



CoMO-CAL's President and Founder is Frank Wodley. He is an eleven year resident of Chatsworth Mobile Home Park in Chatsworth, northwest of Los Angeles. Born in 1943

(Seattle, Washington) he attended the University of Washington, eventually getting a M.S. in Analytical Chemistry from the University of Wisconsin.

Frank has been a general building contractor since the late 70's and still works part time building residential additions. This last year Frank worked full time on CoMO-CAL.

In the mid-1980's Frank was the President of a personal growth institute, the Sirkin Institute, which provided him with experience in newsletter publishing and a desire to help others.

A family man with a grown daughter and 13 year old son, Frank's concern with mobilehome issues started when his manager tried to evict him in 2002. Frank became a member of GSMOL in 2002, President of his Chapter in early 2003, Associate Manager for the San Fernando Valley in mid-2003, a GSMOL Convention Delegate in 2004, 2006 and an observer at the GSMOL Convention in 2008. Frank has been outspoken critic of the present leadership of GSMOL after attending many Board of Directors meetings in Garden Grove, and making two inspections of GSMOL's records. Issues such as ELF and membership

loss have been Frank's concerns.

Frank tried to change the focus of GSMOL from legislation to working on issues we face daily in our parks by making positive suggestions at Board Meetings and through a "recommendations committee."

The idea to form CoMO-LAC actually came from communication with leaders around the state, especially with Elaine Hostetter, then President of SCMOA. Frank formed CoMO-LAC after preliminary meetings in Glendora late in 2004 at Joy's Mobile Home Park on historic Route 66.

From day one, Frank has written, printed, and mailed the newsletter and other informational material from his singlewide mobilehome in Chatsworth. He also runs the office, keeps track of membership, etc. The buck stops at his desk, so if you have a problem with your membership, call Frank, he is happy to help.

Frank's bottom line: "Mobilehome owners are suffering all across the nation. My focus is on them and their plight. We must draw a line in the sand and say we won't take it anymore. I applaud anyone or any group who is working for mobilehome residents. This is not about CoMO-CAL, this is about the right of mobilehome owners to live in peace, without stress, without intimidation or harassment. Please join me in this fight."

Meet Your CoMO-CAL Leaders - Bob Hites, CoMO-CAL Vice President



In photo:
Right: Bob Hites
Left: Frank Wodley
Taken in Modesto

Robert C Hites was born in the mid-west – Des Moines, Iowa in 1943. He is the oldest of ten children: 8 sisters and 1 brother. He grew up on a farm and graduated from Runnells High School in 1960. Bob entered the United States Marine Corp in April 1961 and completed Marine Corp boot camp July 1961.

Sent to language school in Monterey, Ca in 1962, Bob speaks Greek, Japanese, Korean and Vietnamese. He spent two years in southeast Asia 1969 to 1970 as part of General Westmoreland's intelligence staff.

Bob holds a associate degree in political science from Alan Hancock junior college in Santa, Maria, California and a bachelor degree in ethnic relations from the University of Southern California. He retired from the Marine Corp in 1983 as a gunnery sergeant.

Bob has traveled extensively all over the world and has received numerous military awards. He is a life member of VFW and American Legion.

Since 1983, he has worked in the private sector of northern California designing and selling alarm systems for homes and businesses.

Bob first became an advocate for mobile home owners in 1991 as a Chapter president of GSMOL chapter in Del Wayne estates in Yuba City, California.

Currently Bob lives with his wife Patsy in Alpine Village in Marysville, California where he is President of the Alpine Village Homeowners Association. He is also a member of GSMOL, CMRAA, the Butte County Home Owners Association, the California Alliance of Retired Americans, a CARA team leader.

Bob is a Vice President of CoMO-CAL and works primarily in northern California. He has gone into many parks helping residents He believes that you have no rights unless you fight for them.

President's Note: Bob is a gem. He came to CoMO-CAL in April 2007 and we communicate daily. He is loyal and determined. Although he has some serious medical issues, he has traveled countless miles across northern California and taken hundreds of phone calls helping member and non-member alike. We all should appreciate the hours of volunteer work he does for us. Bob is one of a kind! He IS Always Faithful! And he is my dear friend. Thank You Amigo!

Message Board

If you have internet access, our Message Board is a must. You can post a message asking a question or just observe what others are saying. Also all our newsletters are easily accessed. Our website is:

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

Donations

We need your donations. We send thousands of copies of THE WHISPER to non-members across the state. This is just one program we do for Free. And it does cost us money for printing and mailing.

Please make a donation. Perhaps send us \$20 when you renew, instead of the usual \$15.

LISTEN UP #1 by Bob Hites, CoMO-CAL Vice President

There is always something to talk about and bring to light regarding just what ADVOCATE people do. We are here to provide assistance and guidance. We obviously do not have all the answers. However, we do, hopefully point YOU in the right direction. We do not claim to be the answer to everyone's particular situation or problem. But we do offer and provide communication, information, and unity to our members and even if YOU are not a member, but a mobile home owner, residing in a mobile home park.

A mobile home resident who belongs to a very large group of people that can influence not only their neighbors, but public opinion. However, the status of a group can change over time as political parties come into power. That is why YOU must be registered to vote and make sure you cast YOUR BALLOT. The biggest function of an advocacy group is to provide information. These advocacy groups provide information to politicians, Board of Directors, constituents and members of all mobile home residents that are willing to get involved. It takes TEAMWORK, DEDICATION, UNIFICATION, and EDUCATION.

Further, you must not follow your leaders blindly. YOU must ask questions and hold YOUR leaders accountable for their actions. YOU must know all the facts before you can make a logical and timely decision. It is generally thought that mobile home owners must be enticed with some type of benefit to join an advocate group. The reason for this is that mobilehome owners do not need to be a member of a particular group to reap the benefits of that advocacy group.

An advocate group dedicated to improving mobile home residency standards will fight for the general goal of improving mobile home living for every mobile home resident. So there is no real incentive to join an advocate group and pay dues if they will receive that benefit anyway.

Advocacy groups MUST receive dues and contributions from its members in order to accomplish its agenda. Every advocate group does not, in turn, receive monetary help from every mobile home owner. There are many that simply can not afford the yearly dues.

That is why CoMO-CAL works with ALL mobile home owners. We do need your support and we do need your help in providing information to the 1.5 million mobile home owners in California. By YOUR involvement you can exert influence on so many others.

People say they are afraid. People say they will be evicted from their homes. People don't want to get involved or can't due to medical problems.

But, I say to YOU now that taking a stand and fighting for YOUR rights and YOUR investment is a FREEDOM and YOU AND ONLY YOU CAN MAKE A DIFFERENCE. Please join an ADVOCACY Group. CoMO-CAL, GSMOL, CMRAA, BCMOA, NEIGHBORHOOD FRIENDS or.....

·
Get involved with your mobile home park.
Get involved with YOUR LIFE.

SEMPER FI – ALWAYS FAITHFUL

BOB HITES Vice President of CoMO-CAL

A Double Dose of Listen Up by Bob Hites

Did I hear what I thought I said?, or did I read what I thought I wrote? Strange but true. Actually it is unbelievable. Mobile Home residences for the most part do not want to be involved with the issues that truly affect their very means of living. How many of you can afford to lose your homes? None, I am quite sure. You say what a ridiculous statement. Who would take my home? I own it. Well folks, look around. How many are up for sale in your park? How many have been sold? What kind of problems are the seller and/or the buyer encountering. Many.. And the list is growing and it is to large to include in this article. The threats are real. The people are serious. The people are looking out for their own welfare and not for yours.

Just ask any advocate in the mobilehome or manufactured home industry. The problems are way out of hand and what does the home owner do. Stick their heads in the sand and look the other way like the situation is going to go away. Well I have a news bulletin for you: IT IS NOT GOING AWAY!

The situation is only going to get much more involved. This is only the tip of the Iceberg. Just wait. If rent control is abolished in California and the park owners and apartment owners are successful and your rent doubles or triples and you end up selling eggs or pencils on the street don't say you were not forewarned. Advocates spend numerous hours of preparation and mostly at their own expense trying to get the word out to mobile home residences only to find a small percentage of listeners and readers. How do we know this? It is quite simple. We put out fliers, e-mails, newsletters and we get very little feed back. When we do get an inquiry it is way too late for assistance. You folks wait until the

chips hit the fan and then you call. Help, I am in a situation and I don't know what to do. Well, we are not miracle workers, and we are not 911 and we are not your doctor. A very famous English statesman Sir Winston Churchill once stated :

“One ought never to turn one's back on a threatened danger and try to run away from it. If you do that, you will double the danger. But if you meet it promptly and without flinching, you will reduce the danger by half.”

Churchill made that statement in 1939 and he is talking about you and me right now. We have to meet these threats.

We have to UNITE as one and stand as a UNIT a force to be dealt with. You and I cannot afford to allow these dangers to continue to spread. We have to take control of the situation and take control of our destiny. It is your money, your investment and your home. Please join me and other advocate groups as we are determined to stand for our rights. We could use your help in standing up for yours. If you would like to reply I can be reached at 530-743-2965 or my e-mail is anvil95993@yahoo.com.

I live in a manufactured home. I am an advocate for mobile home owners. I believe in you WHY can't you believe in us?

SEMPER FI – ALWAYS FAITHFUL

ROBERT C. HITES

Vice President of CoMO-CAL

Finding the right contractor

In an effort to provide more services to our membership and our numerous associations, CoMO-CAL is asking that you submit your questions on items that you need information on for home repairs and improvements, both for inside and outside. Your questions will be answered on a first come first serve basis and there will be a monthly article each month giving tips and tricks on how to fix, repair, and replace items that require maintenance around your home. Please submit your questions to CoMO-CAL via the internet to comocal@yahoo.com.

Our first installment is Called

Finding the right contractor

Before you hire a general contractor, do your research. This will ensure that you are hiring a reliable, competent individual or firm who can complete the task for which you are hiring them. We suggest you use this list as a guide:

1. Avoid the “nice man” who comes randomly to your door.

2. Choose a contractor carefully.
3. Shop quality first and value second.
4. Gather evidence that the individual or firm is reliable.
5. Call a contractor referral service.
6. Check references.
7. Make a list of questions before calling references.
8. Verify that the contractor has insurance.
9. Verify licensing.
- 10...Check with the Better Business Bureau in your city.
11. Get a detailed estimate.
12. Make a decision based on overall value.
13. Make sure your contract includes a payment schedule.
14. There may be other questions and don't be afraid to ask.

CoMO-CAL This and That

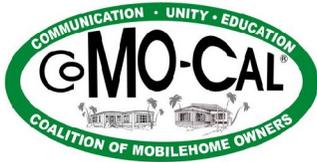
Expiration Date: Your expiration date is on the mailing label, at the top right corner. If we have made a mistake, let us know and we will fix it.

Membership Cards: Some have asked about membership cards. Unfortunately it is a lot of work sending out membership cards. Your label has the same information.

Thanks for your support: We have a long list of members who have given us support, including promoting CoMO-CAL, distributing materials,

making a donation(s), sending us newspaper articles or other information, etc. Bob Hites and I would like to extend our sincere appreciation to all of you. Unfortunately the list is too long to print in this issue—perhaps next month. If you DO NOT want your full name published on this list, let us know by March 10th.

Contractors: If you have a contractor or handyman you would like to recommend, send their information along to us and we will share it with other members.



THE WHISPER

COALITION OF MOBILEHOME OWNERS

INFORMATION FOR OWNERS OF MOBILE HOMES

VOTE JUNE 3rd to Save Rent Control!

Why You Should OPPOSE Prop. 98

The Landlords' Hidden Agendas Scheme to Eliminate Rent Control and Renter-Protections

Wealthy apartment and mobile home park owners are spending millions on a deceptive campaign to pass Prop. 98 for their own financial gain. These landlords want voters to believe that Prop. 98 - dubbed the Hidden Agendas Scheme - is about eminent domain. But their hidden agenda is to eliminate rent control so they can make hundreds of millions of dollars by raising rents on seniors and working families.

Unless defeated, Prop. 98 - The Landlord's Hidden Agendas Scheme - would:

- Eliminate rent control and other renter protection laws. Proposition 98 would phase out rent control in California. It would prohibit future rent control laws and abolish rent control on units once existing tenants move. As a result, Prop. 98 would jeopardize affordable housing for thousands of seniors and widows on fixed incomes, single mothers and working families.

- Attack protections for mobile home owners. Under Prop. 98, mobile home park owners could not be prevented by state or local governments from pursuing what are called "condo conversions." Under condo conversions, park owners can force mobile homeowners to buy the space their home occupies at a cost of hun-

dreds of thousands of dollars per unit. This would leave mobile homeowners stuck in a lose/lose situation - forced to pay hundreds of thousands of dollars for the land underneath their units, or tens of thousands to relocate. Unable to pay either of these costs, many seniors and low-income mobile homeowners could be forced out of their homes altogether.

- Destroy value of mobile homes. Because Prop. 98 would eliminate rent control as soon as the current tenant vacates the property, mobile home owners will face extreme difficulty trying to sell their units. Potential buyers will be discouraged from purchasing the mobile home because rent control protections on space will be lost when units are sold - destroying the equity in these life-long investments for many seniors.

- Gut laws that protect renters. Proposition 98 would also jeopardize dozens of laws that protect renters.

YES on Proposition 99.

The Homeowners Protection Act

Also on the June 2008 ballot is a real eminent domain reform measure that will constitutionally protect homeowners, without the hidden agendas and adverse consequences of Prop. 98.

IT IS YOUR MONEY! Please support us. Be involved.

Meeting in the San Fernando Valley

CoMO-CAL is working hard to get information out to all mobilehome owners. Recently we sent out about 500 fliers asking residents to attend a local meeting. Two issues that were listed:

HELP PRESERVE RENT CONTROL IN THE SAN FERNANDO VALLEY PROPOSITION 98 & 99 - THE NO ON 98/ YES ON 99 CAMPAIGN

We are sorry to report only 26 showed up.

Don't you know you will lose thousands of dollars if Proposition 98 passes? Do you even care? How do we reach homeowners about important issues?

The issue of rent control is extremely important to mobilehome owners, especially those living in rent control areas. Without it, your rents could double, many of you would not be able to sell your homes (they would have NO VALUE), and you would have to just walk away if you couldn't afford the higher rent. This is not conjecture, this is real. Many park owners will settle for nothing less than to see all rent control a thing of the past.

Just what park owners want

This is just what park owners want. They don't want us to organize, communicate, educate, and be involved. You are playing right into the hands of park owners!

I Don't Want to be Involved

How many times have we heard this? But if you live in a mobilehome park, you are involved, whether you like it or not. Your park owner has one goal—to maximize return on investment. The issues are real, we're not making them up. Don't bury your head in the sand and pretend your immune from these issues. Just wait till you try to sell! Or you get a letter saying your park will go condo or you lose your rent control.

I want to check out CoMO-CAL before I join

Go ahead and check us out, we have nothing to hide. We are mobilehome owners just like you. We are tired of sitting back, doing nothing. We want change, but real change takes a grass roots effort. A few people can't do it alone. What do we have to do to convince you we are ON YOUR SIDE?

You'd think the it cost thousands of dollars to join CoMO-CAL. But it only costs four cents a day! And we give a 90 day guarantee of a full refund if you are not satisfied. Anyone can join for FREE if they tell us they can not afford the \$15 annual membership fee. So cost should not be a factor in joining us.

I have a problem

We hear this every day. You have a problem because you didn't want to be involved, you didn't care enough to be informed, you didn't want to be part of the solution or you questioned too long whether you should join CoMO-CAL.

Now you want an easy answer - let me have an attorney for nothing, give me advice for nothing..... Well answers are just not that simple and nothing is free. Four cents a day is all we need! And if just 10% of you joined us, there would be real change! Quit complaining about issues, be part of the solution, not part of the problem.

We work hard

We work hard for all mobilehome owners. We don't do this once a month or once a week, we do this every day. We are volunteers. WE DO NOT get paid! It is about time you did your share and supported us. Be informed, be active, and care about what is happening to you. We do this for you, not for us!!! Please support us. Do it today. Do it for YOU! Do it for all mobilehome owners!

THANK YOU

Distribute THE WHISPER - Make a Difference

Please follow these steps:

1. Separate THE WHISPER from this issue of THE VOICE. It is the previous two pages (pages 14 & 15).
2. Make copies for your friends, neighbors, the whole park or even other parks
3. Distribute them. Do not put them in U.S. mailboxes. You can, however, put them in residents "tubes" or on porches. Make sure they will not be blown away.

is important that we get this information to every voter in the state, not just mobilehome owners. So tell everyone you know.

VOTE NO ON 98

VOTE YES ON 99

Remember the election is June 3rd, 2008. We will have window signs soon. Let's defeat 98 together!

Thank You

This WHISPER is about Proposition 98 and 99. It

CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

NEW MEMBERSHIP APPLICATION (Print Please)

NAME: _____ Date: _____

PARK NAME: _____ SPACE #: _____

MAILING ADDRESS: _____ CITY _____

E-MAIL ADDRESS: _____ ZIP _____

APPLICANTS PHONE NUMBER (_____) - _____ - _____

SIGNATURE OF APPLICANT _____

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

MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) 90 day full money back guarantee

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

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



NEWSLETTER EDITOR

FRANK A. WODLEY

E-Mail: fawodley@yahoo.com

<http://comocal.org>



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

Our purpose is education, communication and to unite

SERVICES WE PROVIDE OUR MEMBERS

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

When Permits Are Required for Manufactured Home/Mobilehome Repairs, Alterations, and Improvements

At a recent HCD meeting involving representatives of park owners, park residents, code enforcement officials, and legislative staff, a question arose regarding when park residents/homeowners must obtain building permits from the enforcement agency or HCD for work in or outside their homes.

Home Alterations: HCD has posted on its website, under "Mobilehome and Special Occupancy Parks" a "matrix" located at <http://www.hcd.ca.gov/codes/mhp/HCDMH604.pdf>. The matrix is an informational summary to assist the public in determining what constitutes an alteration to a manufactured home (MH) as well as identify when a permit is, or is not, required; when plans are required; when electrical load calculations are required; and when the plans must be submitted and certified by a California licensed engineer or architect. The matrix is divided into five classifications: Electrical, Mechanical, Plumbing, Structural, and Structural (Accessory Structure). If the type of MH alteration work to be performed is not identified in the matrixes, you should contact the nearest field operations office noted below for further assistance.

When multiple alterations are being done to the same MH such as plumbing, electrical and structural, the alterations may be included on the same Application for Permit (HCD 415). The HCD 415 can be located on the Internet at: <http://www.hcd.ca.gov/codes/mhp/>

Lot/Park Alterations: There is no similar matrix for lot or park alterations or improve-

ments. The general rule is set forth in Title 25, California Code of Regulations (CCR), section 1018, which says, with minor specified exceptions, no person shall construct, reconstruct, install, replace, relocate or alter any building, accessory building or structure, or building component, equipment, or other activity without obtaining a permit. The exceptions, listed in the same section, include minor maintenance and repairs, adding a storage cabinet on a lot (although park approval may be necessary), and construction of certain landings, stairways, fences or patios. The park laws and regulations are on HCD's website, at <http://www.hcd.ca.gov/codes/mp/authority.html>.

Questions/More Information:

Northern Area Field Operations: 9342 Tech Center Dr., Suite 550, Sacramento, Ca. 95826, (916) 255-2501

Southern Area Field Operations: 3737 Main Street, Riverside, Ca. 92501, (951) 782-4420

Your local building department, if your city/county is the park enforcement agency and the alteration is not to the manufactured home itself. This information is also on the HCD website, under "Mobilehome and RV Parks Listing", at <http://www.hcd.ca.gov/ParksListing/faces/parkslist/mp.jsp>

**California Property Owner & Farmland Protection Act
(Proposition 98) would phase out rent control**

By Jonathan Volzke, The Capistrano Dispatch
Feb 1, 2008

In some ways, it's as much a tradition in San Juan Capistrano as the Swallows Day Parade, Summer Nites Concerts or the Historical Society's Old-Timer's Picnic: If you live in one of the city's seven mobile-home parks, you're protected by a rent-control ordinance.

The ordinance was put into place in 1978, generally limiting any rent increase to an annual amount based on the consumer price index. In 1978, the issue was before residents again, seeking to strengthen the ordinance and keep rents low even when a new owner buys into the park. That was the fiercely fought Measure A. Park owners banded together against a group of residents who called themselves Help Our People Exist.

Even then, it was a battle watched throughout the state. And residents won by a landslide, securing 74 percent support. The 1978 amendment prohibited park owners from increasing the rent to market rates when a new owner moved in.

It's been a battle fought again and again in City Hall since then, still pitting park owners against residents. Whenever it comes up, residents from the seven mobile home parks throughout town watch closely. So far, the ordinance has survived without a dent.

That might change in June, though. A statewide ballot initiative touting itself as a property-owner protection from eminent domain would also phase out rent control statewide. San Juan Capistrano is among 110 California cities and counties

that have rent-control laws, covering 230,400 people in about 153,145 mobile homes. The initiative, which has received substantial backing from mobile home and apartment-owners committees, is called The California Property Owners and Farmland Protection Act. (Now Proposition 98)

San Juan Capistrano has about 1,214 mobile homes in town, housing an estimated 3,000 people. While most are not officially counted as affordable housing, the parks offer a variety of entry level options and often house the working class or seniors.

Manufactured housing representatives say cities prefer rent control to building affordable housing to create balanced communities.

"Local governments have essentially decided to have socialized housing here," said Sheila Day, executive director of the Sacramento-based Western Manufactured Housing Communities Association. "They're just holding mobile home park owners hostage to satisfy their need to provide affordable housing."

Residents argue the local ordinance is vital, especially in South County, where housing costs have for years shot upward.

"Rent control has helped us avoid all of the crisis this housing bubble would have created," said Jim Vance, a resident in the 152-unit Capistrano Terrace Mobile Home Park on Valle Road. "Without rent control, the housing bubble would have destroyed the middle and lower classes. This harms most of the people who can afford it least."

So far, the proposal has been largely flying under the local radar. City officials said they were unaware of the measure, as did even some local park owners and residents. The measure would specifically allow park owners to raise the ground lease for a unit to market rates after the unit becomes vacant.

Park owners have long complained that allowing rent-control rates to pass from one owner to the next creates an artificial premium on the value of the mobile home. Park owners say while they have to pay for infrastructure and park operating costs, it's the owner of the unit selling their coach who cashes in on the value of the rent control.

"We are writing to you to notify the city that tremendous premiums are being paid on the resale of older mobile homes in our park," an attorney representing the Rancho Alipaz Mobile Estates wrote the city more than a decade ago. "San Juan Capistrano's rent control ordinance, which has depressed home sites' rent far below market values, has created an environment where the incumbent sellers of mobile homes can sell their homes for prices which exceed the home's intrinsic market value by many tens of thousands of dollars."

The city's ordinance allows park owners to raise rents higher than the formula with residents' approval or special City Council action. Attorneys for San Juan Mobile Estates, also on Alipaz, made the argument about the artificial premium when they asked for a rent increase in 2003.

Their request was denied, and the park owners ultimately sold the park to the nonprofit Millennium Housing Corp., which owns 16 other parks in California. Millennium agreed to abide by the rent ordinance even if it's ultimately tossed out, Millennium President George Turk said.

Capistrano Terrace's new owners, Advanced Real Estate, also applied for an extra rent increase after buying that park. They contended the age and condition of the park—it opened in the '50s as a trailer campground on a hillside above town and evolved into a year-round mobile home park—demanded higher rents to pay for the necessary improvements. They were denied, too.

"We're on the horns of a dilemma," said Ray Poulter of Advanced. "The residents think the basic infrastructure needs to be upgraded, and to do that, you're looking at \$1 million or \$2 million—and there's not a mechanism for recouping that. If you want to do major upgrades, you have to get residents to approve the increase, and that ain't going to happen."

After the rent increase for Capo Terrace was rejected, park owners moved to shut it down. A report on how residents could be relocated, and what it might cost, has just been completed. The park ownership and residents are unhappy with the report, which will next go before the Planning Commission.

Despite the increasing pressures on the ordinance, an ambiguous name and even a late start, rent-control advocates predicted groups will again organize to beat back this attempt, too.

Jack Heath, a resident in the 230-space Capistrano Valley Mobile Home Estates on Avenida Aeropuerto, said he recently saw a newspaper article on the measure. He clipped it out. He said residents will rally against it.

"You can depend on it," Heath said. "Now that we're aware of it, we'll certainly fight for it. We'll be after the city or the state or whoever with our colored shirts or signs or whatever we can."

Prop. 98 Is an Attack on Real People

Profiles of the types of people who will be harmed by Proposition 98 - the landlords' deceptive attack on renters, rent control, and renter protections.

Proposition 98 is an Attack on Real People

Conny Caruso Hutchinson is a 77 year-old senior citizen who has to work a job at a local movie theater in order to supplement her fixed (retirement) income. Conny lives in a modest apartment in Park La Brea. Were it not for rent control, she wouldn't be able to afford to live in Los Angeles. In addition to phasing out rent control, Proposition 98 eliminates important renter-protections, like laws against unfair evictions. Landlords would have a huge financial incentive and much more legal leeway to get rid of tenants and their rent control. Once rent control on a unit is gone, it's gone for good. That means tenants like Conny and millions others could never move – without facing devastating rent increases.

Prop. 98 is an attack on renters – renters like Conny.

PROP. 98 IS AN ATTACK ON RENTERS!

Wealthy landlords and mobile home park owners are trying to pass Prop. 98 for their own financial gain.

California Secretary of State records show that more than 85% of funding to put Prop. 98 on the ballot came from wealthy landlords and organizations representing them. These landlords are trying to trick voters into believing they wrote Prop. 98 to reform eminent domain. But these landlords don't care about eminent domain – they only care about provisions in the initiative that would phase out rent control laws at the expense of seniors, veterans, single moms and working families. Prop. 98 also guts important protections for all renters, like laws requiring the fair return of rental deposits and laws protecting tenants from unfair and unjust evictions. Prop. 98 is an attack on all existing and future renters in California

We Need Your Story - How Would You Be Impacted if Proposition 98 Passed?

CoMO-CAL is part of a “coalition” of mobile-home and tenant advocates across the state of California. The League of California Cities is again spearheading the NO on 98 and Yes on 99 effort.

They are looking to bring two different issues to the forefront.

The first: **real people** who would be adversely affected should Prop 98 pass. For instance, your rent might double. Could you afford it? Then if you couldn't sell your home, what would you do? Go to live with a relative?

The second: many mobilehome park owners have contributed to Proposition 98, yet often times they claim they don't have enough money to keep up the park they own. The League would like to have examples of this.

If you think you would like to help the effort to defeat Proposition 98 and feel it is an attack on you personally, or you live in a run down park and your park owner contributed to this proposition, we would like to hear your story. Please call us at CoMO-CAL. 800-929-6061.

Thank You

Santee wins round in fight over rent limits
Mobile home park denied damages

By Michele Clock UNION-TRIBUNE STAFF
WRITER February 2, 2008

SANTEE – The city has claimed another victory in its drawn-out legal struggle over mobile home rent control.

A San Diego Superior Court judge ruled last week that a Santee mobile home park owner is not entitled to any of the \$13.5 million in damages and rent increases the company had sought in a 2001 case against the city.

Chicago-based Equity LifeStyle Properties Inc., which owns a park on Mission Gorge Road called Meadowbrook Mobile Estates, should not receive money for enforcing city rent-control laws that were later revised. The proposed decision, issued Jan. 25, is the latest in the city's ongoing legal saga over rent control. At issue are the city's ordinances that regulate how much mobile home park owners can raise rents in relation to inflation.

City officials say the laws help protect many of the 4,000 mobile home residents against predatory and unfair price increases, while park owners have challenged the constitutionality of the ordinances as well as the way they were adopted.

The city has spent about \$1.9 million defending the laws in court.

Mayor Randy Voepel, who once lived in a mobile home, said he was pleased with last week's decision.

“It's once again another victory,” Voepel said. “And I'm sure it will be appealed. And if they don't appeal this one, they will file another. This is an endless lawsuit.”

An Equity LifeStyle official, meanwhile, declined to reveal the company's next move.

“We will be following up in what we believe is the

best interest of our shareholders in the future,” said Peter Underhill, regional vice president in charge of the company's California operations.

Equity LifeStyle, then called Manufactured Home Communities Inc., challenged the city's rent-control ordinances in 2001. The company argued that the city violated state election code when the City Council unknowingly approved the wrong draft of the ordinance, later correcting it and applying it retroactively.

The ordinances had called for rent increases of no more than 70 percent of the rise in the Consumer Price Index for San Diego County, down from 100 percent. A San Diego Superior Court judge sided with the company in 2003 and struck down the law. Judge J. Richard Haden determined city employees failed to follow proper procedure when they presented the ordinance to the council for approval.

But Santee challenged the ruling and prevailed in 2005. An appellate court reinstated the city's mobile home rent-control ordinance. The California Supreme Court refused to review the appellate decision in 2005. But the case was sent back to Superior Court to determine whether Equity LifeStyle was entitled to damages for having to enforce a version of the law that was later revised.

Meanwhile, Santee continues to fight Equity LifeStyle in two other rent-control-related cases:

- A lawsuit filed by the city against the company arguing that it illegally raised rents in January 2004 and should not have charged a one-time, \$920 rent increase. The case is pending.

- A lawsuit filed by Equity LifeStyle last year challenging the constitutionality of the city's ordinance. The city filed a motion to dismiss the case, which is pending.

Editor's Note: These two pages are about parks and how owners can increase their value. Note the ad on the next page from "Mobile Home University." In fact, Bob Hites called Corey Donaldson and Mr. Donaldson's first question was "What

park do you own?" As soon as Bob said he was a mobilehome owner, the conversation ended. They do not want to speak to us!

Let us know what you think about these two articles.

Increasing the Value of Your Mobile Home Park

Before you decide to sell your manufactured home community/mobile home park there are several ways to increase the value of your investment and in doing so increase the value of the park and make it more saleable. Here is a list of 10 potential ways to increase the value of your mobile home park.

1. Raise Rents: A \$10 per month rent increase at a valuation using a 10% capitalization rate, can increase the per lot value of \$1,200.

2. Submeter Water, Sewer and Trash: By installing water meters at each mobile home and billing the residents back for water and sewer and trash you are in effect increasing your bottom line. I often think this is one of the most equitable ways to pass on expenses to the residents as they only pay for what they use. In my experience when meters have been installed the master water and sewer bill is reduced by 30-40% as your residents become conscious about the amount of water going through the faucets. Leaky faucets are fixed, toilets no longer run continually, cars are not washed every day, etc.

3. Enforce Rules and Leases: By enforcing reasonable rules and regulations your mobile home community will be regarded as a safe and comfortable environment. Get rid of problem tenants. If you are worried about losing the rent from one or two problem residents, consider that you may lose even more good residents and potential residents by keeping those that are causing problems

and not obeying the rules.

4. Reduce your Property Tax Expense: Contact a company that specializes in going to bat for you with your county tax assessor to get your valuation and taxes reduced. Many states and counties base the assessed value on the purchase price. However, most mobile home parks should have a business value component that should not be taxed as property tax. These companies often work for a % of the reduced taxes and you only pay them if they are successful.

5. Reduce other ongoing expenses: Get multiple mobile home park insurance quotes, evaluate telephone costs and extras, negotiate with plumbers and electricians to get a lower hourly rate, etc.

6. Fill vacant mobile home lots: How much is a vacant lot worth? In many cases, a vacant lot is actually costing you money to keep the grass mowed, the lot clean, and so on. If your lot rent is \$200 per month and based on a simple formula that a mobile home lot is worth 60 times the monthly rent, then an occupied lot is worth \$12,000. Would it make financial sense to spend \$2,000 to cover the home moving costs of a potential resident? I believe it does. Other incentives I have used include, free or reduced rent for the first year or two, free installation of new skirting, free steps and decks, and the list goes on. Be creative and stay ahead of your competitors. It is much more effective to come up with 50 ways to market to one customer rather than 1 way to mar-

ket to 50 customers.

7. Buy manufactured homes for Resale or Rental. Buying used homes and placing them in your manufactured home community for resale or rental is another way to drastically increase the value of your community. As mentioned before, each time you fill a vacant space, the value of your park increases. As a community owner you have an advantage over most mobile home retailers in that you do not need to make a profit on the sale of new and used homes. If you profit by \$12,000 per space in equity each time you add a new home, you can sell the homes at breakeven and be way ahead.

8. Increase the Curb Appeal: Encourage residents to clean up their yards and property. Hold clean up days on a monthly basis. Have new and attractive signs installed at the entrances. Repair roads and maintain adequate street lighting. Have monthly rent discount incentives to the residents for things such as: Property of the month, most improved property, etc. Additionally, offering financing for your residents for such things as

new skirting, paint, wood siding, and other outside improvements can get their manufactured homes looking better as well.

9. Add additional income sources: If you have some vacant land, consider adding some mini storage units, or fence it off and offer storage for RV's, Boats, and extra automobiles. If you have highway frontage, look into placing billboards or selling easements to billboard companies. Look into getting Cable TV or Wi-Fi for the entire park and in doing so, your residents will get a break on these costs and you should be able to profit as well.

10. Dedicate streets and utilities to the city. Although is not too common for established communities, if you can talk your city into making this happen, you just reduced your exposure to street repairs, utility repairs and metering.

David Reynolds is the owner and manager

Mobile Home Park Money Trees with Corey Donaldson

OC Register ad
on February 18, 2008 February 19th, 20th & 21st
Seminars .
Attend FREE if pre-registered online or by phone

Investing in **mobile home parks** is an absolutely beautiful thing! Not only is it a long term land play, but you have NUMEROUS ways to **make money** through multiple “profit centers” in a park. Single family homes and apartments are a “one trick pony” with only one source of revenue.., the rent payment. It is much easier to achieve your financial goals with **mobile home parks** due to the following reasons:

- The parks are usually in a less than favorable part of *town*. Therefore the land is cheap and

you will be **spreading that cost over numerous mobile homes**.

- Provided you purchased the right mobile home park, there will be vacancies for you to bring in extra mobile homes. (Yes, that’s right....you want at least 20% of the park vacant so that you have a huge upside!) You’ll improve the quality of the park, **raise rents and maximize your rent roll**. By the way, this will immediately increase the value of your **mobile home park** through the cap rote valuation.

- If cash flow is low you can add additional revenue by putting in a coin operated laundry mats, vending machines lawn service day care service, self storage etc

The pros and cons of rent control
Advisory vote set for trailer park residents

By [Sam Richard](#) ([Contact](#))
 Wednesday, February 20, 2008



Photos by Joseph A. Garcia / Star staff El Dorado Mobile Estates resident Dick Schuck takes his dog for a walk. Schuck supports a rent-control ordinance.

"Yes on rent control in El Dorado," a sign announces, while another at a different mobile home urges: "No Rent Control."

The differing opinions on a rent-control proposal are heard in conversations and seen on signs posted at El Dorado Mobile Estates. And the issue has become a divisive one at the Fillmore mobile home park.

City officials have come up with a plan that includes an advisory vote by the park's residents, who are 55 and older. After the vote, the city could enact an ordinance regulating rent increases at the park.

"They have to vote. That's the key," said Tom Anderson, a resident at the mobile home park for eight years.

Supporters want a rent-control ordinance partly because they are struggling to pay annual rent increases of 4.5 percent.

Opponents, however, say if an ordinance is adopted, the park's management company would change El Dorado into a condominium park or could drop the age restriction for tenants. Residents would have the option to purchase the property beneath their coach if El Dorado were converted into a condominium park.

Although a date has not been set by the city, residents will likely vote in a straw poll by early March, officials say.

The ballots likely will include a draft city ordinance and an alternative offer from Santa Ana-based Star Management, which runs the mobile home park at 250 E. Telegraph Road.

"This is inciting nerves and dislikes," resident Ray Brown said as he walked his Chihuahuas, Chica and Pete'e. "It pits neighbor against neighbor."

Brown, 63, moved to El Dorado in August 2006 because it was a mobile home park for older people. He said he's not mad at management's desire to change the park and respects the right to pursue that. But if the park is converted into a place for all ages, Brown said, he will leave.

"I'm disabled with a heart problem," he said. "I just can't have all the excitement and clamor that come with kids."

Having an all-age park could bring in families of three to five people per home, and they are more "economically viable," said Mike Cirillo, president of Star Management.

"From the owner's perspective, the new (people) have an ability to pay higher rents," he said.

Star Management opposes a rent-control ordinance and considers condominium conversions a viable economic option, according to Cirillo.

The park, which has about 420 residents, is not low-income, and people who have seen rent increases agreed to them in their leases, he added.

Anderson, who said he is neutral on the issue and believes rent control is not the answer for everything, is working on the offer with Cirillo. He said the offer could include lower annual rent increases and an agreement not to convert the park to an all-age property.

John Ohngren, 60, who supports an ordinance, said he is struggling to pay rent because of changing circumstances in his life. His wife died in July. He said it is a financial squeeze to meet rent increases and pay for medication and other essen-

tials. A rent-control ordinance would be a big help, he said.

"It makes sense," Ohngren said. "I could see (rent) going to \$1,000. That's crazy."

Cirillo said Star Management recently started a program at El Dorado to assist seniors struggling financially. Depending on their circumstances, they can receive monthly rent credits, he said. Several applications have been received, he said.

Richard Schuck, an 82-year-old resident, said he hopes an ordinance is passed soon. Higher rents "will price a few out of the park," he said.

Comments on Article by Frank Wodley, CoMO-CAL President

This article should not be entitled "The Pros and Cons of Rent Control." Just talk with any mobile-home owner in a rent control area – there are few "cons."

I know, I live in Chatsworth and we have rent control. Two parks just a few miles away (Mountain View and Summit) are not in L.A. City and do not have rent control. Their rents are as high as \$1500.00. Without rent control, my rent would probably be at least \$500/month higher. Not only would I not be able to pay it, but my home would essentially be worthless! I'd probably have to walk away and leave it, but to where?

If I were a resident of El Dorado, I'd opt for rent control, hands down. Then I'd band together against Star Management and Mike Cirillo to stop any "sham" conversion or change to an all age park.

(We all know condo conversions are just another way to break rent control and/or double the cost of the park.)

When will cities finally realize people are suffering? The time for "rental parks" should be a thing of the past. No one should be controlled by a park owner or manager or pro-management residents. Residents deserve better. Cities should step in and help residents purchase their parks. There should be NO MORE "rental parks."

This is no way to treat seniors!

Frank Wodley, President

Coalition of Mobilehome Owners - California

Editor's Note: Tammy Hoth is an advocate for mobilehome owners in Minnesota. I spoke with her about a week ago. One day, about a year and a half ago, she and her friend decided they would try to make their life better. They would research the possibility of residents purchasing their small park of 30 spaces.

Well, I can report that escrow is set to close in about a month at which time residents will indeed own their park.

A portion of the following article was published in last months THE VOICE. Tammy is being accused of trespassing. So what was she doing - she

was trying to tell residents in other parks that resident ownership was possible. She was simply trying to give them information.

If you've been reading THE VOICE, you will know that park owners don't want residents to be informed. They don't want residents to hold meetings.

Of course CoMO-CAL supports Tammy. We want you to know her plight. We also are publishing an email from her to CoMO-CAL which details what you and I can do to help her. Please read it and send a letter or email.

Woman denies trespassing charge

**By CLAIR JOHNSON
Of The Gazette Staff**

A Red Lodge woman claims she was handing out information about property rights to residents of Casa Village, a mobile-home park for sale in Billings.

But the city alleges the woman, Tammy Dunkin Hoth, was illegally trespassing when she entered Casa Village on Nov. 1 after having been asked to stay out.

Hoth pleaded not guilty Thursday in Municipal Court to misdemeanor trespassing. Judge Collette Davies appointed a public defender and set a hearing for Feb. 5. She continued Hoth's \$595 bond. If convicted, Hoth faces a \$500 fine and up to six months in jail.

Hoth, a bank clerk who owns a mobile home in Red Lodge, has been working with other residents to buy that park to keep it from being sold and developed. The residents formed a nonprofit association, Mountain Springs Villa Inc., to secure their homes and obtained government grants and loans to buy the land. Residents will rent from the association.

After her court appearance, Hoth and Trent Godfrey, a Billings resident who also lives in a mobile-home park, said they separately distributed fliers at Casa Village.

Godfrey is a local leader for All Parks Alliance for

Change, a St. Paul, Minn., group that encourages mobile-home residents to form associations and to understand homeowners' rights. The group called for messages protesting the trespassing charge. Godfrey has not been charged.

Hoth said she first distributed information last summer, and Godfrey said he distributed fliers a second time. Then the two went to a residents association meeting on Nov. 1, Hoth said, to let residents know "it's not impossible to purchase their own park." "I feel like I was invited," Hoth said, because a Casa Village resident had told her about the meeting. But she was told they were not welcome.

City Attorney Brent Brooks said Casa Village is a privately owned park and that Hoth is accused of remaining on the premises three times despite being asked to leave.

The court records say Hoth entered Casa Village on Nov. 1 after the management had asked her to stay out of the park on more than one occasion. Hoth was found in the park in August passing out fliers, and manager Susie Cole told her not to come back. On Oct. 22, Cole discovered that more of the fliers had been distributed. Then on Nov. 1, Cole found Hoth again passing out fliers.

When contacted by a police officer, Hoth admitted she had been on the property on Nov. 1 and admitted she

had been told more than once not to be on the premises, the affidavit said.

Hoth disputes the charges, saying she distributed fliers once and went to a meeting. Cole told her not to distribute any more fliers and she didn't, she said. Cole could not be reached for comment.

Casa Village is a well-maintained, 490-lot mobile-home park on 65 acres off 24th Street West and Monad Road. Residents learned in October that the park was for sale after fliers were dropped on their doorsteps by the All Parks Alliance. Casa Village was listed for sale by Iowa Realty Commercial for \$15.25 million.

During a meeting in October at Will James Middle School, representatives from All Parks Alliance hoped to give residents advice on forming associations and information on their rights. Many attendees worried they would be forced out if the park sells.

Casa Village is posted for no trespassing or soliciting, a police report said. The complainant, who was not identified, asked that Hoth be prosecuted, the report said.

The officer sent his report to Municipal Court for review, and the City Attorney's Office issued an arrest warrant, said Police Lt. R.D. Harper. A warrant was issued Dec. 21. Hoth went to the Police Department on Jan. 2 and was released with a notice to appear in court Thursday. She posted bond.

Some supporters called or e-mailed Mayor Ron Tussing.

"We want the city to know other people are paying attention to this, and their constituents are paying attention to this as well," said Kelly Diouf, of the alliance. The courts will have to determine whether Holt was trespassing, she said.

The mayor said he had received seven calls or e-mails from around the country, none of them from Billings. Brooks said he received nine calls.

While there may be some gray area when it comes to access to tenants renting lots, the property is private, Tussing said.

"I can see both sides," he said.

Editor's Note: The following is an email from Tammy to CoMO-CAL. You and I can help her by writing letters or sending emails. The names and addresses are given below. Thank you for your help!

Hello Frank

Here is the info. you will need to reach the Billings City Mayor and the Prosecuting Attorney as well as the Billings Gazette Editor.

All Parks Alliance for Change from MN received the grant from Northwest Area Foundation to do some preliminary work in the northwest on manufactured housing parks the residents in them and what they mean to the affordable housing pool. I met members of this group in Atlanta GA at a NeighborWorks convention, and was invited to a conference in St Paul MN.

In August members of APAC and I passed out fliers to residents in many Billings parks to invite them to a meeting to discuss their rights and find out some general info. about the attitudes of the

residents as well as the owners/managers.

A man at that meeting who lived in another park, started investigating and found Casa Village was for sell and he and members fliered the park again. Another meeting was held to discuss the residents options in late Oct. The resident association meeting was held Nov. 1st and I was prevented from attending that meeting and later charged with Criminal Trespass. That meeting was held in the club house at Casa Village and that is why the manager feels she has a right to press charges.

Continued on page 29 bottom

Davis trailer park residents are looking to land a deal

By Hudson Sangree - hsangree@sacbee.com
Published 12:00 am PST Monday, February 4, 2008

Brian Johnson is just as proud of his three-bedroom, two-bath abode in Davis as any homeowner could be.

But the 72-year-old has to contend with worries that don't concern most homeowners in this affluent college town.

The land beneath his residence could be sold away, or the rent he pays for the plot could be increased so that he could no longer afford it on his fixed budget.

Johnson, a retired cabinetmaker at UC Davis, lives at the Rancho Yolo Mobile Home Park, a senior community with 330 residents, many of them low-income.

Neat homes line its curving streets. Most of the single-wides and double-wides had their wheels taken off long ago and are more mobile in name than reality.

As president of the homeowners' association, Johnson is a leader in the current effort to put together millions of dollars to buy the park and turn it into a resident-owned cooperative.

The goal is to ensure that the 55-and-older residents can live there for as long as they want, and not be forced out at a landlord's whim.

The homes that they own would cost exorbitant amounts to move or be rendered nearly worthless if the park was closed, Johnson said.

"Right now we're living in a business," he said. "We have no self-determination."

Compare that with Leisureville, a 150-unit mobile-home park in Woodland, where residents pur-

chased the property from its previous owner in 1995 and act as their own landlords.

The rent, about \$300 a month for each plot – including water, sewer and taxes – is nearly the same as it was a dozen years ago.

Leisureville has newly paved streets, a handsome white gazebo and fresh landscaping around the clubhouse.

The park operates in the black, and thousands of dollars in improvements have been paid for with cash, said Gail Madsen, Leisureville's property manager.

Things weren't always so good.

In 1995 the landlord wanted to sell Leisureville, and the residents were facing steep rent increases to make the property look more profitable to would-be buyers.

The way things were then, said longtime resident Wayne Gardner, "You lived here and you liked it, or you moved away."

With the help of the city and consultants, residents were able to put together about \$5.4 million to buy the park, ensuring their own future.

The money came mostly as grants and loans from government entities and private foundations.

In addition, each household kicked in \$5,000. That was a hefty amount for many residents, some of whom opposed the move.

A loan program helped low-income residents afford their allotment.

"Everybody who wanted to have a share was able to get one," said David Thompson, a Davis resident and expert in the formation of housing cooperatives.

Thompson worked with Leisureville residents. He's assisting the Rancho Yolo homeowners, along with his partner Luke Watkins.

The Davis City Council has already pledged \$50,000 to kick-start the process, and a recent fundraiser with the Trailer Park Troubadours band, attended by a host of local dignitaries, raised thousands more.

But acquiring the mobile-home park is by no means a given, Thompson said.

The landlords, who live in the Bay Area, have not been contacted. Even if they were willing to sell, the idea's supporters would still need to cobble together millions of dollars to fund the purchase. They'd also need the cooperation of the residents themselves. Not all are sold on the idea.

Rents at Rancho Yolo have increased at a reasonable pace over the years, and the park appears well-maintained. Some residents wonder why they should shell out thousands of dollars and take on

new debt to buy their park.

Thompson, who gets paid for his services, argues that while things are good now, they might not always be that way, and it's better to act before a crisis occurs.

The future of the large, relatively affordable senior and low-income community – surrounded by pricey Davis real estate – is too valuable to leave to chance, he said.

Leisureville residents said they hope their success will help convince holdouts at Rancho Yolo.

Gardner, 88, said he understands why some would balk. But he said most Leisureville homeowners are now delighted with their choice.

"It will be worth it down the road," he said, "if their experience is anything like ours."

Go to: [Sacbee](#) / [Back to story](#)

Letter to the Editor: Letters can be submitted four ways:

Using the form at the bottom of this page: <http://billingsgazette.net/info/?h/letters>

Email your letter to speakup@billingsgazette.com.

Mail your letters by postal mail to:

P.O. Box 36300

Billings, MT 59107-6300

Send your letters by fax to: (406) 657-1208

Letters to the editor must contain the writer's name, street address, and work and/or home phone numbers. Maximum length is 250 words.

Call:

City Attorney Brent Brooks at: (406) 657-8202 brooks@ci.billings.mt.us

Mayor Ron Tussing at: (406) 657-8296 tussing@ci.billings.mt.us

When: Anytime, until the action alert is called off. We will keep you posted if the alert is cancelled.

What to Say: Drop the charges against Tammy Hoth. Freedom of expression is protected by the First Amendment of the Constitution of the United States of America.

Feel free to embellish with your own story: e.g. I am a manufactured home park resident/advocate and this is important to me because...

--

Kelly Diouf
National Project Coordinator
All Parks Alliance for Change
970 Raymond Ave. Suite 105
St. Paul, MN 55114

Editor's Note:

ROP was formed in 2001 and now owns four parks: Niles East in Bakersfield, two small parks in Arcata, and Sunny Oaks in Los Osos. GSMOL has promoted ROP, Inc. and only ROP, Inc. over the last seven years, all the while knowing many organizations help residents purchase their parks.

We published the following article in the July 2007 issue of THE VOICE. In fact, that was when CoMO-CAL became aware that ROP, Inc., led by Maurice Priest (GSMOL lobbyist and corporate council), was involved in the purchase of Windsor Mobile Country Club.

We have also published articles when ROP, Inc. tried unsuccessfully to purchase two other parks—West Wind in Clear Lake and Forest Springs in Grass Valley. In Forest Springs, residents voted 78% to 22% to keep ROP, Inc. out.

CoMO-CAL has been approached by residents of Sunny Oaks in Los Osos complaining about ROP, Inc. Some residents have complained about being coerced by ROP, Inc. to purchase a share.

After the article below was published, a group of residents in Windsor Mobile Country Club organ-

ized and retained Attorney David Grabil to fight ROP's purchase of their park. They won the first round. They currently are in their second arbitration regarding the high rent increases (approximately 72%).

ROP, Inc. claims it helps preserve affordable housing, yet many residents of Windsor MCC will be forced out of their homes with the purchase by ROP, Inc. It appears that ROP, Inc. will benefit at the expense of residents. And remember, when ROP, Inc. purchases your park, ROP, Inc. becomes the park owner for up to 30 years! (Read the two page letter to ROP, Inc. Board of Directors on pages 30 and 31).

This is not about gaining membership in CoMO-CAL at the expense of GSMOL. This is about mobilehome owners and truth. You told us you want ALL information, and we're following through. Question the organization you support. Is it really working for your interests?

CoMO-CAL can not and will not support any organization working for themselves and not for owners of mobilehomes. We suggest you contact us if and when you need information about purchasing your park. We are here to help. We support residents ownership of their park.

Windsor park residents 'in a tizzy' over sale

By CLARK MASON THE PRESS DEMOCRAT
June 13, 2007

The pending sale of Windsor's largest mobile home park is causing anxiety among its senior residents who fear they can't afford the rent increases planned by the buyer. The purchase of the Windsor Mobile Country Club by a nonprofit housing corporation is billed as a way to keep rents affordable. But rents in the 336-space park could jump significantly at first -- 50 to 65 percent in some cases -- in order for the buyer, Resident

Owned Parks of Sacramento, to swing the deal.

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

ble-wide mobile home.

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

Maurice Priest, the president of Resident Owned Parks, the nonprofit corporation buying the park, said the company will seek rental subsidies from the Town of Windsor and other sources to lessen the sting of the initial rent hikes for low-income residents. "We have never been involved in a project that results in the displacement of homeowners, and this is not going to be one," he said. "We aren't going to be taking an 83-year-old woman and making her rent \$800 to \$1,000 a month." He said he expects rents likely will increase to about \$500 per month on average.

Priest said his company's purpose is to maintain the affordability of mobile homes and preserve them as rental stock for low-income residents. He touts it as a preferable alternative to the controversial statewide trend of parks being converted to condominium-style ownership. Condo-style ownership allows park owners to subdivide their parks and sell individual lots at prices that can reach up to \$100,000 for the tiny parcels. And once a park is converted, local rent controls no longer apply.

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

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

add an additional profit margin," he said.

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

Town Planner Kevin Thompson said the purchase probably will be beneficial for residents. "Ultimately, I do think it's a good deal," said Thompson, who has looked into mobile home park acquisitions by Priest's nonprofit corporation in Arcata and San Luis Obispo County.

He noted that Priest, an attorney, was a long-standing lobbyist in Sacramento for mobile home owners and renters.

Windsor officials are examining the ramifications of the park purchase, which residents found out about in late May, after the fact. The purchase is in escrow and expected to close in September. Priest declined to disclose how much his corporation is paying current owner Ron Wollmer.

Thompson said the homeowners' association may have some say over the rent jump. "If the homeowners' association agrees a one-time rent increase is warranted, that can occur. Or it can go to arbitration," Thompson said.

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

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

An Open Letter to the ROP, Inc. Board of Directors

From:

Committee of Concerned Residents
Windsor Mobile Country Club
1066 Maple Drive
Windsor, CA 95492

February 12, 2008

To:

Dan Hauser, Director
Steve Gullage, Director
Roy Smart, Director
Steve Clute, Director
Franklin J. Lacusky, Director
Maurice and Diane Priest, Directors

Resident Owned Parks, Inc.
7420 Greenhaven Drive, Suite 125
Sacramento, CA 95831

Re: ROP Attempted Acquisition of Windsor
Mobile Country Club

Dear Chairman and Members of the Board:

The Committee of Concerned Residents of Windsor Mobile Country Club was started last summer when residents learned that ROP was seeking to buy the park and increase our rents by 72%. Most of us in this 336-unit senior's park have very low fixed incomes. At least 70 of us are "extremely low income", meaning our incomes are less than 30% of the area median income. ROP has issued a rent increase notice which would raise most rents here from \$301 to \$518 per month on April 1. Many of us will be forced to move if that happens. We are writing to members of ROP's Board of Directors to ask your help. The corporate charter of ROP states its purpose is to "preserve affordable housing". This rent increase will force 335 of us to lose our affordable housing (one unit in the park is occu-

ped by the park manager).

We have already been through one arbitration over the ROP rent increase. The arbitrator ruled in November that there was no evidence to justify such an increase by ROP. See <http://housingrights.googlepages.com/wmccarbitration>. But ROP is now seeking approval of an even higher rent increase, and a new arbitration commenced January 30. No new evidence has been presented justifying such a huge increase, and we are hopeful that the arbitrator will reject this one also.

For over 30 years, the owner of the park has kept rents low, and has always listened and responded to residents' concerns. His open and respectful approach to us has been one of the big pluses of living in this park. We were initially hopeful that ROP would continue this tradition. But our experience with Mr. and Mrs. Priest since last summer has been extremely unpleasant. We have found them to be hostile, secretive, overbearing and uncompromising. While Mr. Priest has met with residents on several occasions about the increase, he has been evasive about ROP's reasons for requesting a 72% increase. There are discrepancies in the figures which ROP is using to justify the proposed increase which would, at a minimum, reduce the increase by 25%. The inflated interest rate - 5.75% - which ROP wants to pay on the municipal bonds issued to finance its acquisition of our park is more than 25% higher than the 4.45% interest rates paid on similar municipal bonds used by another non-profit to finance its purchase of a nearby mobile home park in November. The higher interest rate applied to the \$25.5 million which ROP will finance translates to over \$70 per month in higher space rents for every resident in the park. Mr. Priest had an appraisal of the Windsor Mobile Country Club done last July which showed a market value of \$16 million, but he claims that because ROP is a non-

profit, it is entitled to pay a higher amount for the park and pass this additional cost on to residents of the park in the form of higher rents. We ask you, the Board of Directors of ROP, to tell us how this is "preserving affordable housing".

We have been trying without much success to find out if Mr. and Mrs. Priest stand to receive any personal compensation if the sale of our park to ROP is completed. In addition to the \$23 million purchase price which the current owner will receive, we understand that an additional \$2.5 million in bonds will be sold to cover ROP's expenses incurred in the acquisition of the property. We hope the ROP Board will review carefully what this additional \$2.5 million is to be used for.

Senator Dan Hauser, a member of ROP's Board who formerly represented the residents of this park in the legislature, testified under oath in the current arbitration proceedings that Mr. Priest received compensation from ROP each year since the non-profit was started (2001). But the disclosure forms filed by ROP with the Attorney General (also under penalty of perjury) state that there were no financial transactions between ROP and any officer or director of ROP in 2004. The Attorney General's Registry of Charitable Trusts informed us that as of three weeks ago, ROP had not filed the required disclosure forms for 2005, 2006 or 2007. A copy of the 2004 disclosure form, apparently signed by Mr. Priest, is attached. The ROP tax return for 2006 states that neither Mr. Priest nor Mrs. Priest received any compensation from ROP during that year, and that neither devoted any time on a weekly basis to their positions as officers and directors of the corporation.

Failure to file these forms, accurately completed and in a timely manner, jeopardizes ROP's tax exempt status and exposes the corporation to liability and penalties. Loss of ROP's non-profit status would have very serious consequences for residents in the parks which ROP owns. Bad financial management practices may also put directors (even disinterested directors) at risk of personal liability. The disclosure forms which ROP should have

submitted to the Attorney General should also have been submitted to the ROP Board for its review. Apparently this has not been done, which may evidence a lack of proper oversight by the Board.

We are also surprised and concerned by Senator Hauser's testimony that Mr. Priest has been given broad authority by the Board to bind ROP to real estate transactions such as this. Directors of public benefit corporations are required by the State to use great caution when making investment decisions involving corporate funds. Allowing one officer or director to make these important decisions without Board review and approval may violate Board members' duty of care to the corporation. See Corporations Code Sec. 5240(b)(1).

In closing, we believe Mr. Priest's actions with respect to the acquisition of Windsor Mobile Country Club violate ROP's intended purpose which is to preserve affordable housing. It appears to our committee that ROP's goals in acquiring this park have nothing to do with "preserving affordable housing". Raising rents to what Mr. and Mrs. Priest claim are "market levels", and generating income for ROP seem to be the primary, and perhaps the ONLY, goals of ROP's acquisition of Windsor Mobile Country Club.

We would request that the ROP Board investigate and correct the reporting deficiencies with respect to disclosures required to be made to the Attorney General, and correct any discrepancies in ROP's federal and state tax returns. More fundamentally, we would request the Board to independently evaluate whether the purchase of Windsor Mobile Country Club is consistent with the stated purpose of the corporation. We think the answer is "no".

If you have any questions, or if you would like our Committee to provide any additional information, please do not hesitate to contact me.

Yours truly,
 Donna M. Helwig, Chair
 Committee of Concerned Residents

Letter to CoMO-CAL from ex-GSMOL Chapter President

January 1, 2008

Dear CoMO-CAL

I was previously a member and president of GSMOL in my park, Colonial Estates. One year ago, my neighbor and I filed several small claims actions against our park managers and owners. We could get NO assistance from GSMOL. Short story, the owners came into small claims with an attorney! We lost. Everyone agreed that according to the MRL (Mobilehome Residency Law), we should have won. But judges don't necessarily go by what is in the MRL. As a result of our lack of support from GSMOL, I don't believe that anyone in this park has renewed their membership.

A few months ago, Bob Hites began to mail me THE VOICE. I have had more information from Mr. Hites in the past four months than I had in almost two years from GSMOL. Mr. Hites continued to mail me THE VOICE even when I had not

joined your organization. I have been extremely impressed with your publication. Although GSMOL also had a publication, it was not the caliber of yours. Also, there was not nearly the involvement of the members that I see in your organization. This is evident in the articles published in THE VOICE.

I have now been seduced by your communication and effort to unite mobilehome owners in California and am therefore, enclosing my membership application and fee. Please keep up the good work and do not be afraid to send your publication to those who are not full members. Who knows? They might even read THE VOICE and decide to join also! Like ME!

Yours truly, Linda Lohman
10005 RedCoat Lane
Sacramento, CA 95827 -1933

Everything that Linda says is true!

Everything that Linda says is true! GSMOL came to our park full of bluster to encourage us to join their organization! They pointed out various things that Colonial Estates were doing that were unlawful and encouraged us to fight back with their full support. When we did so, however, we were left hanging.

I sued regarding their overcharging us for water. When they separated out the charge from the rent, in which it was originally included, GSMOL said that was unlawful. I won the first round, but they appealed. When confronted with going to superior court for the second round, I was told to contact Maurice Priest who would assign an attorney to my case. Since this never happened, despite several phone calls and appeals for assistance, I lost my case..

The second go around was regarding the issue of management being required to meet and confer with us when requested in writing which they refused to do.

Again, I lost my case. Colonial Estates always showed up with an attorney, and the judges were influenced by this as we were treated as though we were morons. Linda and I are not stupid people. Our paperwork and arguments were right on. I also produced written petitions signed by several homeowners. However, without GSMOL support, we were out in the cold.

Linda and I lost so much time and money on these issues, that I and most of those involved, remain discouraged. Continued on next page bottom

THE VOICE March 2008 - E-mail Version—a Few Final Comments

We hope you find THE VOICE informative. Remember, this is YOUR VOICE also. Send us articles from local newspapers, or write about your own park or area. We are about information. Our goal is to inform as many mobilehome owners as possible.

E-mail is a terrific way to communicate. It is instantaneous and we can send loads of material at once.

Don't forget about our **MESSAGE BOARD**. The address is below and it is FREE. Once you are a member of it (and we approve anyone who is a mobilehome owner—you don't even have to be a member of CoMO-CAL), you can access all older newsletters by going to 'FILE.' This is also a terrific way to chat with others about issues in your park. Simply go to:

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

Last month we asked for **DONATIONS**. Please support our efforts. Bob Hites and I work hard for you. But of course this is not a two man show. In fact we will publish a list of people who have either donated money, promoted us or helped in other ways. We are very grateful for their support.

After all, how much is it worth to you to make changes in your every day life as a mobilehome owner? How much is it worth to eliminate your

stress? How much is it worth to have peace of mind when you go to sell your home?

The answer from one resident has been donations totaling \$4,000. Of course most of us can not afford such an amount.

The answer from Bob Hites and myself - we work daily, often using our own money, to help you and others across the state. Please realize that we are providing you and all mobilehome owners an opportunity to make a difference. We are honest. You can trust us. We have no ulterior motive. We just want some justice. Our goal is to unite mobilehome owners, to educate and to inform.

Finally I want to thank all of you who have renewed your membership. Without your dues, we would not be able to function, simple as that.

We have a long ways to go. Let's do this hand in hand. Never have mobilehome owners had a chance like this.

OUR BOTTOM LINE**YOU AND YOUR NEIGHBORS****ALL MOBILEHOME OWNERS IN CALIFORNIA****WE ARE FOR YOU!**

GSMOL did indeed recognize our chapter. Linda was listed as President and I was Vice President. Lew Parkinson was just a friend who wanted to see how our court cases went as he was considering a similar move in his park.

If you have any questions, feel free to contact me.

I believe you will find that Linda Lohman is credible, capable and knowledgeable. This Mary person is not well informed.

Deborah Rogers

CONFERENCE—HCD Mobilehome Park Health and Safety Code Enforcement

Senate Select Committee on Manufactured Homes & Communities

February 29, 2008, 10:30 a.m. – 12:30 p.m.

Rancho Santiago Community College District Board Room

2323 N. Broadway, Santa Ana, CA

Tentative Agenda

10:30 a.m. Call to Order
 Senator Lou Correa, Chair
 Introductory Remarks S e n a t o r
 Correa

Other Com-
 mittee Members Present 10:45 a.m.

Testimony & Statements

John Sisker, Manufactured Homeowners
 Network

Tim Sheahan, GSMOL

Samii Taylor, Windsor Group

Glenn Bell, Neighborhood Friends

Gary Gibson, homeowner – Canoga Park

Morris Kramer, homeowner – Canoga Park

Gloria Hannan, homeowner – Westminster

Shirley Patton, homeowner – San Jacinto

Ronald Slater, homeowner – San Jacinto

Catherine Borg, WMA

Representatives, HCD

Marian Merez, City of Paramount

12:15 p.m. Other Public Testimony
 Non-scheduled parties – time permitting

12:25 p.m. Concluding Remarks Senator Lou
 Correa

12:30 sharp
 Adjournment
 # # #

Senate Select Committee on Manufactured Homes & Communities

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HCD Mobilehome Park Health and Safety Code Enforcement

Hearing Information Paper

Summary

Health and safety code enforcement in mobilehome parks is the responsibility of the Department of Housing and Community Development (HCD), which also has agreements with approximately 70 local agencies to conduct inspections in parks in their jurisdictions. There are two kinds of inspections, the Mobilehome Park Maintenance (MPM) inspections, which involve a full inspection of a park and all spaces, and the complaint inspections that are mainly in response to complaints from park residents, park owners or the public about possible health and safety violations. In recent years, legislators and this Select Committee have received an increasing number of complaints about code enforcement in California’s mobilehome parks. Generally speaking, complaints to the committee over

the past few years include allegations that HCD is often slow to respond to complaints and that follow-through is not their strong suit. The committee is told that even when enforcement agencies cite park violations, actual enforcement is spotty, resulting in substandard and even dangerous conditions in some parks that may last for years. Some critics say mobilehome park code enforcement is more a matter of ticket writing, with real enforcement authority coming only with the commencement of legal action by city or district attorneys, who in many cases put mobilehome park health and safety violations at the end of the priority list. Homeowners often complain they are singled out by park managers who direct HCD inspectors to possible violations on their spaces and that inspectors do not give advance notice of a complaint inspection of the homeowner's space and seldom contact or follow through with them.

Hearing Purpose & Procedure

The purpose of the hearing is to review allegations and complaints about park health and safety and to seek new ideas or suggestions that could legislatively or administratively improve code enforcement and the correction of citations in parks. Select committees of the Legislature, unlike standing committees, do not hear or vote on bills but research specialized issues and hold hearings that may result in recommendations for future legislation that, if introduced, may later be heard by the standing committees. Following the written agenda, witnesses will be asked to identify themselves and their city of residence and may be asked questions by legislators and committee staff upon completion of their statements. Witnesses should summarize their points in five to eight minutes, not including questions asked of them, and avoid repetitious testimony.

Written information or documentation is also encouraged for the committee's record. The hearing is being recorded, and the committee will publish a transcript and report of the hearing at a later date.

Background

According to January, 2008 figures available from the Department of Housing and Community Development (HCD), there are 4,734 mobilehome parks with a permit to operate (PTO) in California. These parks have a total of 396,663 spaces. Conservative estimates are that more than 700,000 residents live in these parks. Most of these are rental parks, where the residents own their own homes but rent or lease the spaces on which their homes are installed. About 150 parks are owned by non-profit organizations, or are resident-owned subdivisions, condominiums, or cooperatives. The park owner/management is responsible for remedying health and safety code violations in the common areas, including roadways, walkways, utility systems, recreational facilities and the clubhouse (if any). In most cases, homeowners are responsible for repairing code violations with respect to their spaces and homes. Currently, HCD has about 45 inspectors statewide, operating in conjunction with six district offices and two main offices, one in Sacramento and one in Riverside. Inspectors perform a variety of tasks, including inspection of farm worker housing as well as park and manufactured home installation inspections and mobilehome modifications, as well as issue a variety of permits. HCD also has agreements with approximately 70 local jurisdictions to perform park code enforcement in mobilehome parks in their jurisdictions. With an increasing number of local jurisdictions giving up the program and handing it back to HCD in recent years, about 75% of the parks in the state are now inspected by HCD.

Prior to 1968, mobilehome park health and safety code enforcement was totally within city and county jurisdiction, although some state regulations governing auto camps, the predecessors of modern mobilehome parks, date to 1920. In 1967, the Legislature adopted the Mobilehome Parks Act, giving the Commission on Housing (now the Department of Housing and Community Development) authority to regulate the construc-

tion, use, maintenance, and occupancy of mobile-home parks and the installation, use, maintenance and occupancy of mobilehomes (and manufactured homes) located in those parks. Soon thereafter, specific requirements, such as set backs for mobilehomes from their lot lines, the height of mobilehome stairway risers, or the length of gas connectors, to give but a few examples, were adopted by department regulations, commonly known as "Title 25" (Chapter 2, Division 1, Title 25 of the California Code of Regulations). Traditionally, these regulations have been enforced by inspection at the time of the construction of the park and as a condition of granting the initial permit to operate the park (PTO).

Some years ago, the basic statutory fee for a park's annual permit to operate was set at \$25 per park, plus \$2 per space. Until 1974, regular inspections of existing mobilehome parks were carried out on a biennial basis, but with the repeal of that provision in 1973 park inspections were thereafter carried out only on the basis of complaints filed with HCD. Due to numerous complaints and questions about the adequacy of doing park inspections on the basis of haphazard complaints, the Legislature enacted AB 925 (O'Connell) in 1990 to provide for regular inspections. Between 1991 and 1999 HCD or local agencies conducted at least one "full" Mobilehome Park Maintenance (MPM) inspection of every mobilehome park in the state. The bill authorized an additional \$4 fee per space per year to support the MPM program. Although the MPM program was originally designed to sunset in 1996, due to delays in implementation the Legislature extended the sunset twice until 2000. Between 1997 and 1999 HCD, park owners, homeowners and local agencies participated in negotiations on whether the program should be renewed and whether fees should be increased. Although some parties argued that the \$4 fee would need to be increased to provide a better level of enforcement, in 1999 the Legislature finally renewed the program for 7 more years (2000-2006) without a fee increase but limited "full" MPM inspections to parks with the worst record of violations during the first 1991-1999 inspection

cycle (SB 700, O'Connell). This measure also created an advisory Task Force of park industry, homeowner and local government representatives who meet with HCD bi-annually and receive a briefing on the MPM program's progress. The renewal of the program for a third cycle after 2007 was preceded by 2005 legislation which attempted to increase the \$4 to \$6 per space to provide a modest improvement in the level of inspections, but the bill was vetoed (SB 1231, Dunn). In 2006, the Legislature finally renewed MPM inspections for another 7-year period (2007-2012) but limited full inspections to 5% of the parks per year (SB 1231, Dunn).

How Park Code Enforcement Works

When a code enforcement officer cites a violation in a mobilehome park, the violator, on a complaint citation, has 30 days to correct it. For MPM inspections, violators have 60 days to repair, but if the violation is an imminent hazard requiring immediate correction, a so-called "A" violation, the citation will be issued on the spot and may require disconnection of electrical, gas, or other utilities and immediate repair. Examples are bare or faulty electrical wiring or circuits, leaking sewage, or leaking gas. When the park owner or a homeowner disputes a citation, an informal conference is held at their request with the enforcement agency's supervisory personnel concerning the violation, the failure to correct, or the extension of time to correct the violation. An inspector can also grant a discretionary extension beyond the 30- or 60-day deadline for correction if the violator is making a good faith effort to comply or there is a bona fide reason for the delay, such as weather. Where a park owner or homeowner refuses to correct a violation, after several notices and time to correct the violation, including any extensions, has expired, ultimately the enforcement agency must give the park a 'last chance letter.' The case is then referred to the district attorney for prosecution as a misdemeanor or as a civil abatement action, a process that can take a number of additional months. Although some D.A.'s or city attorneys have been aggressive about pursuing court enforcement of and fines for park

violations, others are not. Many D.A.'s are reportedly overloaded with other criminal cases and cannot devote their resources to these cases.

Legislative Progress or Lack Thereof

Legislative progress in improving health and safety code enforcement in recent years has been mixed. Although there have been some modest successes, such as extension of the MPM program and a requirement for permits to move or change lot lines, in addition to the attempted fee increases mentioned above, many proposals that have come before the Legislature to try to improve park infrastructure problems and park code enforcement have failed. Legislation to authorize HCD to levy administrative fines, not just citations, for failure to remedy a violation within a 30- or 60-day period was proposed by AB 1648 (Salinas, 2001), and although supported by HCD, died in Assembly Appropriations. Legislation to create a park rehabilitation loan fund to provide low-interest loans to parks to fix failing infrastructure – the costs of which could not be passed through to residents – died in Senate Appropriations (SB 495, Dunn, 2001). A bill to make the Mobilehome Ombudsman more responsive by, among other things, requiring follow-through on complaints within a designated time frame was vetoed (SB 122, Dunn, 2001). Other legislation to authorize levying of fines for the most serious type “A” violations was dropped for lack of support (SB 37, Dunn, 2003). A bill to require parks to include a social security or taxpayer I.D. number on park applications or renewals for permits to operate in order to more effectively enforce payment of delinquent park fees, which has been an on-going problem was also dropped (SB 1795, Costa, 2003). Legislation to authorize HCD to use a court receivership process similar to that which local authorities may utilize for conventional “stick-built” properties, as another tool to improve enforcement, was vetoed by the Governor (SB 634 Dunn, 2005).

Some of the Issues

The following are representative of some of the main health and safety code enforcement issues

fielded by the committee in the last few years:

Slowness to Respond to Complaints: A consistent refrain heard by the committee for years is that enforcement agencies, both HCD and local government, are often slow to respond to complaints about specific problems in parks. Normally, complaints are received through the Mobilehome Ombudsman by phone or by submitting a complaint form through the mail or online. Complaints of an urgent nature, such as sewer back-ups or overflows, electrical outages, and the like are supposed to be handled ASAP – at least within a matter of days. Lesser priority issues, such as complaints about setback, lot line, or illegal home or accessory installations, may take several weeks or more for a response. Some residents claim that response times often exceed a month. Some say they have never heard back from an inspector or the department about what happened to their complaint, while the park condition still exists. However, HCD staff has usually been very responsive to constituent complaints that come through a legislator’s office or that are “bird-dogged” by a legislator or the committee.

Failure to Remedy Citations & Lack of Timely Enforcement: Many complaints relate to “excessive time” taken to enforce Title 25 requirements in parks cited for violations. A number of cited violations continue to exist for years according to some complainants. One criticism is that enforcement agencies sometimes try to cut deals with park operators who won't cooperate – allegedly accepting less than full compliance with a citation. Homeowners claim there are few sanctions against park owners who continue to flaunt the law or ignore HCD citations, other than forcing closure of the park. They say HCD is mostly a “ticket writer” and district or city attorneys are often reluctant to pursue misdemeanor or civil actions against a park. Moreover, in the few instances when an enforcement agency does pull the park's permit to operate (PTO) for park violations, it is often the residents who suffer through no fault of their own when the park is closed for health and safety reasons and homeowners are forced to move or abandon

don their homes.

“Slumlord Parks”: Most mobilehome parks in California were built before 1980, and many are now more than 50 or 60 years old with failing infrastructure, such as electrical, gas, water and sewer systems, as well as fire or other health hazards. The committee has had numerous complaints over the years from park residents and neighboring property owners concerning parks with longstanding problems and even citations for violations relating to these issues, parks that may be referred to, for lack of a better term, as “slumlord parks.” Despite the fact that all parks were supposed to have been inspected at least once during the first MPM (1991-99) or second MPM (2000-2006) cycles, we are told by critics that some of these parks have somehow escaped detection. The committee has documentation on some of these parks in its files and some “slumlord parks” have been listed on HCD Task Force bi-annual briefing sheets. Although “slumlord parks” probably represent a small number of the total parks in the state, they nevertheless present a major problem for the residents of those parks as well as neighboring property owners when substandard and even dangerous housing conditions continue to exist for months or even years.

No Surprises for Park – One Sided Appearance: Homeowners say enforcement is often not equal. While some parks have consistently dragged their feet in making needed repairs and have frustrated enforcement as above-mentioned, homeowners say when it is the homeowner who fails to correct a citation within the 30- or 60-day window HCD relies on the park owner to do their work for them, since a homeowner may be subjected to eviction by the park when HCD notifies the park of the homeowner violation. Another complaint of homeowners is that while they may not receive prior warning of an inspector’s visit on a complaint inspection (MPM inspections require notice by law), the park management usually if not always receives advance notice when an inspector will be entering the park. Sometimes the manager accompanies the inspector, allegedly, in some cases,

pointing out to the inspector homeowner faults or possible violations. This appearance of one-sidedness in code enforcement is a source of considerable irritation to homeowners, who feel in some cases they are being singled out or harassed by the manager as well as the inspector. Some homeowners do not understand why they are subject to “surprise” complaint inspections while the park is not. In all fairness, however, there may be some situations, such as complaints involving emergencies, or where the homeowner is not available, where an advance notice would be impractical.

Bureaucratic Run Around & Lack of Follow Through: Some residents believe they receive the bureaucratic run-around when filing complaints about health and safety complaints, sometimes being referred by HCD’s Ombudsman to local agencies or even the Legislature, or by local agencies to other local or state agencies, such as the Department of Real Estate, the Department of Consumer Affairs, or the CPUC. A few have claimed they have been referred to three or four different agencies before reaching the committee and getting headed in the right direction. Many homeowners indicate that HCD inspectors or representatives seldom contact them when responding to their complaints about other violations in the park, or follow-through afterwards. Homeowners say they often never see the inspector in the park and that the condition complained about continues to exist. Homeowners also complain, as mentioned above, about lack of communication at the time the inspector cites the homeowner for a violation. HCD contends that with regard to citations against homeowners, the inspector does make an effort to knock on their doors but residents may not be home and that in any case homeowners receive a written notice of the citation. Some homeowners, however, contend that the notices are sometimes hard to read, are coded, or so generic as to make it difficult for the homeowner to specifically understand the problem. Notices do include phone numbers, but homeowners report that inspectors are often hard to reach by telephone.

HCD Information Outdated: Several complaints have focused on the inadequate or outdated information provided by the Mobilehome and RV Listing on HCD's website - incorrect park names or number of spaces, or incorrect names and addresses for park operators in some cases. Some contend more useful information could be provided if it was required at the time of application or renewal of the permit to operate (PTO). Such information might include room on a form for the address or telephone number of the enforcement agency (state or local) with jurisdiction for each park, the park's status as a senior, resident-owned, or non-profit park, and a listing of park amenities such as a clubhouse or recreational or storage facilities. HCD has made improvements on their park website listing in recent years, such as providing links to maps and locations of each park as well as park telephone numbers, but does not provide as much information as some housing agencies in other states have for mobilehome parks.

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POSSIBLE HEARING SUGGESTIONS

& ISSUES

The following are some ideas or suggestions in the form of questions that have been considered in the past or brought to the committee's attention by various parties to improve or speed up code enforcement in mobilehome parks. Witnesses may wish to comment or offer their own suggestions:

1) Is MPM inspection of 5% of the parks enough? Over the years the effectiveness of the MPM program has diminished due to the fact that the number of parks subject to a full inspection has been reduced each cycle. Currently only 5% of the parks in the state are inspected under the MPM each year. Shouldn't 100% of the parks be inspected over a 5, 7 or even 8 year period – the original reason for enactment of the MPM concept in 1990? If so, are the parties of interest – the park industry and the mobilehome owners – willing to

pay higher annual fees for a better level of inspection (see also Q. 2)?

2) PTO Fee Increase? Picking up on the previous question, annual park permit to operate (PTO) fees, \$25 per park per year, plus \$2 per space have not been increased in about 30 years. The additional annual \$4 per space fee for the MPM program that began in 1991 sunsets in 2012. Yet, costs of salaries, benefits, equipment and travel have increased for government as well as the private sector over that 18 to 30 plus year period. Should the Legislature increase statutory annual PTO fees or allow HCD to establish the fees administratively based on the cost of providing the inspections?

3) Return to Local Control More Efficient? Prior to 1968, local governments had direct code enforcement authority over mobilehome parks. Local government building inspectors usually live and work in the community and already conduct inspections of neighboring conventional property, so they have less distance to travel and can make more efficient use of their time than HCD inspectors based in Riverside or Sacramento or other regional cities, who often must drive hundreds of miles to far flung counties or communities to inspect parks. Should the state park inspection program and fee revenue be returned to local government with HCD operating only in an oversight and training capacity?

4) Local Control Option in Serious Cases? Currently, HCD has jurisdiction to inspect about 75% of the parks in the state, and by agreement local governments have jurisdiction over the rest. When all else fails HCD must rely on local district attorneys to prosecute uncorrected park violations. Should local governments have the option to notify HCD and take over jurisdiction in so-called slumlord parks, if conditions are not corrected within a certain timeline, say 120 days, so they can use local enforcement tools, such as fines or receivership, to try to speed up correction of the violations? Would cities and counties have more success in getting their own district attorneys or city attorneys to prosecute these cases than HCD?

5) Dedicated State Inspector Option? Some cities have indicated a willingness to pool the sharing or payment of state costs for a state inspector who would be dedicated to focusing on and inspecting parks only in those jurisdictions that pay or share the costs, not parks in other areas. Would such an option be workable, even on a pilot program basis?

6) Should Bad Guys be Fined? Local building code officials have authority to assess citation fines for violations of local building codes that are not corrected within a certain period of time. HCD has no such authority for park violations of Title 25. Similar to the failed AB 1648 (2001), should the idea of citation fines for both park owner and homeowner violations – or at least serious violations – that go uncorrected after 60, 90, or 120 days be reconsidered?

7) Should Bad Guys be “Red Tagged”? HCD maintains a website with a list of every mobilehome park issued a permit to operate in the state, and maintains records of mobilehome park inspections under the MPM program, which are available for a fee, but the public has to obtain copies by requesting the information under the Public Records Act. Should HCD be required to “red tag” mobilehome parks on their website that have serious “A” violations uncorrected for more than say 120 days or which have failed to pay their PTO fees? Should records of mobilehome park inspections be available on the HCD website? Should local enforcement agencies be encouraged to do the same? Would “red tagging” and possible publicity about such parks as a result really serve to prompt some of them to correct their health and safety problems or pay their fees?

8) HCD Receivership Authority? Local enforcement authorities may, under State Housing Law, go to court and ask that a receivership be created for a slumlord property, as well as establish an impound account for payment of rents to the receiver, rather than the landlord, until the health and safety corrections are made. HCD, while it has primary

jurisdiction over mobilehome parks, does not have similar receivership authority as an enforcement tool to speed up enforcement in so-called slumlord parks. SB 634 (2005) would have provided that authority but was vetoed. Is it time to reconsider the HCD receivership option again?

9) PTO pulled quicker? HCD’s last step before going to a district attorney to prosecute uncorrected violations is to pull a park’s permit to operate (PTO). The time may vary but can be as much as 9 months to a year or more in some cases after the violations were first cited. When the PTO is suspended, the park is noticed and the notice posted in the park. The notice indicates that the park is no longer authorized to collect rent from residents because it is no longer a legally operating park. Sometimes this fact spurs the park to correct the problems before a DA gets involved. Should the PTO be pulled more quickly, say within a timeline of 90 or 120 days of a serious citation that is not corrected?

10) Post Bonds? An enforcement agency often expends considerable effort inspecting and re-inspecting mobilehome parks with serious and continuing violations, time and money which often could be spent on responding to complaints in other parks, inspecting new manufactured home installations and issuing certificates of occupancy. Where a park’s PTO is suspended due to failure to correct serious violations, should the park be required to post a bond as insurance for future HCD inspection costs in that park?

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