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# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

AUG/SEPT 2009 VOLUME 5 ISSUE 6

## The 14th Amendment & Our Rights by Donald DeVore

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No state shall make or enforce ANY law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

So, it is my opinion based on the 14<sup>th</sup> Amendment to the United States Constitution that any Mobile Home Landlord/Tenant Law, and other laws that regulate the owners of manufactured housing are illegal and unconstitutional. These laws that classify the owners of manufactured housing as a distinct, separate class of citizens based on them owning and living in manufactured homes is illegal and unconstitutional. These laws do not offer equal rights and protection under the laws that ALL other property owners have.

For 30 years, myself and statewide organizations have fought for the property rights and equal protection under state laws for all owners of manufactured housing. For 30 years the landlords thorough their own organizations have fought to

protect their property rights, and the privilege of controlling the property rights of the home owners and property they do not own.

This is made possible by all parties concerned using the wrong premise of law concerning manufactured housing on leased land. Under state Real Estate Land-Lease Laws, all property on leased land are regulated by this law except for manufactured housing. You have mountain cabins, all types of buildings, and even conventional housing developments sitting on leased or rented land that are regulated by Real Estate Land-lease Laws.

I will say this once again. Until manufactured housing on leased or rented land is regulated by Real Estate Land-lease Laws, the owners of manufactured housing will NEVER achieve full property rights and equal protection under state laws. That is how simple it is to solve the problems you have faced for more than 30 years now. Placing manufactured housing on leased or rented land under Real Estate Land-lease Laws will fix the problem permanently. The owners of manufactured housing should be treated the same as all other property owners. Any other actions are a waste of time and money.

Editors Note: Donald Devore has been an advocate for 30 years, leading a state-wide group in Colorado. Donald’s premise that our laws are based on the wrong foundation makes a lot of sense. We should take a hard look and brainstorm this idea. Please take a look at his book “Mobile

Home Wars” - available through CoMO-CAL for \$10 (email), and \$15 (paperback). It is well worth the money and takes a hard look at the history of mobile home parks, the stigmas we face, advocacy groups, and our future.

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

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

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

**Purchase your Park**

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Deane Sargent (Ashland Oregon):  
 541-708-5131

DVD on purchasing your park—  
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**“ADOPT A” - A NEW CoMO-CAL PROGRAM**

You’ve seen the signs on the freeways—”Adopted by....” Now CoMO-CAL is offering businesses, HOA’s and individuals a chance to promote themselves while helping us reach more mobilehome owners.

**Who Can Contribute and How**

You will be given credit for any contributions you make (names of contributors will be published in THE VOICE).... Remember a business, a HOA, an individual and/or a group of individuals can contribute. Follow the lead of Bayview HOA!

**How Much Does it Cost?**

**Newsletter: \$1,000/month**

**Website (comocal.org): \$1200/year**

**Brochures: \$1200 = 10,000 brochures**

**Alert Network: \$600/year to reach up to 5,000**

**How to Adopt a Project**

Let’s take brochures. If a business, HOA or group of individuals contributed \$100/month, it would support 10,000 brochures (minimum amount printed). This means your support of this project allows us to reach 10,000 mobilehome owners across the state. We would promote your business or HOA or group by giving you space in the brochure. A win-win situation. You get credit for

your support and we reach more mobilehome owners. If you would like to reach a certain area with the brochures, we can work that out, i.e. if you have a business in Los Angeles, we would send the brochures to mobilehome owners in the Los Angeles area.

Next, the website. We have already received a check for \$500 from the HOA of Bayview Mobilehome Park. Their sponsorship is noted on the front page of our website. Thank you, thank you Bayview HOA for your kind donation.

**Support the Newsletter**

The newsletter now costs us about \$1000 per month. Be a sponsor and get your name in the newsletter. Whatever amount is ok—just write newsletter sponsor on your donation. You can give anonymously also.

**What About Membership Dues?**

Membership dues will remain \$20/year, \$38/2 years and \$54/3 years. Sponsorships will allow us to do much more with your dues - we will reach thousands more residents - Unity, Communication, and Education.

**Want to Sponsor?**

Please give us a call at 800-929-6061 if you have any questions. We are happy to work out something—we both can win!!

**CRLA Attorneys**

Ilene Jacobs, Lee Pliscou & Molly Stafford  
530-743-5191

**Handyman—San Fernando Valley Only**

Ray Emmons Construction  
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**Attorneys**

We are working on a new list of attorneys

See our next

THE VOICE

### UPWARDLY MOBILE MAGAZINE

Our friend and member, Ms. Toni Gump, is the publisher of Upwardly Mobile Magazine. Now about one year old, it is a slick, well designed publication that shows mobile/manufactured home life at its best. Ms. Gump sends it to our legislators, perhaps they will learn what we are really about, and quit calling us "trailer trash."

**F A L L I S S U E P R E V I E W**  
The fall issue of Upwardly Mobile is shaping up to be another winner. We will be featuring a remarkable, [high desert container home office](#), along with a Northern California custom remodel in a wonderful country setting. Look for other

articles to help with Mobile Home financing, adding value to your home, planting your own modern day victory garden, how to leak-proof your home, hearth help and much more. On newsstands September 1st! More information, go to:

<http://www.umhmag.com/news.html>

By the way, CoMO-CAL will have a quarter page ad in the September 1st issue. We are working hard to get the word out!! UNITY, COMMUNICATION, AND EDUCATION. And please support Toni and her magazine....

### BROCHURES

Don't forget, we printed 10,000 brochures explaining CoMO-CAL - what we do, who has endorsed us, etc. They are all color, professionally done.

These are available to anyone willing to distribute them in their park. Use them to help organize. Just give us a call and we will mail you as many as you want.

So far we have sent out about 8,000 to various parks across California and folks are joining. This is just another way CoMO-CAL is UNITING residents.

### ALERTS NETWORK

Those of you who DO NOT have a computer and the internet DO NOT get our ALERTS. During this session of the Legislature we have been very active sending out ALERTS, primarily up to date information on what's happening in Sacramento.

During the months of June and July 2009, we have send one ALERT every other day.

If you do not have the internet, try to find someone who does. If they send us their email address, then perhaps they will share with you!!

### HOPE

~~ Author Unknown ~~

- Hope "lights a candle" instead of "cursing the darkness."
- Hope opens doors where despair closes them.
- Hope looks for the good in people instead of harping on the worst in them.
- Hope discovers what can be done instead of grumbling about what cannot be done.
- Hope draws its power from a deep trust in God and the basic goodness of mankind.
- Hope regards problems, small or large, as opportunities.

**Keep It Simple Stupid (KISS)** by Frank Wodley, CoMO-CAL President

**Statistics:** (from Senate Select Committee on Manufactured/Mobile Homes)

- 4,700+ mobilehome parks in California
- 365,000 total spaces
- 165,000 under some form of rent control
- 65,000 under some form of vacancy control
- 700,000 residents living in mobilehomes

**We are ALL involved:**

- Whether you like it or not, you are involved when you live in a rental park, paying rent for your space. Your park owner has most of the cards and control.

**The Threats Are Real:**

- Condo Conversions: Any park owner, that means even you park owner, can begin a condo conversion right now. And today, our local governments have NO weapons to protect us against park owner initiated condo conversions (subdivisions).
- Rent Control: Don't forget Propositions 199, 90, and 98. They were REAL attacks against rent control. Now AB761 is a REAL attack against vacancy control, which caps rents for your buyer.

**We have laws to protect us**

- But they are WORTHLESS without enforcement. It is up to YOU to stand up for your rights.

**We are in a WAR**

- The other side is ORGANIZED. About 1,700 park owners have joined forces in their Western Manufactured Communities Association

(WMA). They have other organizations also working for their interests.

- We are NOT ORGANIZED. Less than 25,000 belong to a state-wide group that advocates for mobilehome owners.
- We can not fight a WAR without an army. What are a few generals against an army which is organized.

**But there is hope.:**

- In fact AB566 and AB761 have energized folks. Many have written letters, faxed, or called their representatives in Sacramento, finding they DO HAVE A VOICE.
- We can have enforcement. Remember what's happening in Washington State (See Page 15 this issue)—they have an attorney with five staff working on complaints from both park owners and mobilehome owners—all at the cost of \$10/space/year.
- CoMO-CAL now has over 2,000 email addresses in it's ALERT network, so we can almost instantly sent you information...many have sent us emails to participate. Remember, this is NOT SPAM, this is important information. Such a network is critical when issues are so fluid in Sacramento.
- Although most of our members don't see it, we sent out about 30 ALERTS to our email network during June and July, ALERTS primarily concerning happenings in the California Legislature. Sometimes information on Committee and Floor votes can be gathered live, online. This allowed us often instantaneously get information to our network.
- Residents are taking control of their situations more and more. See Page 11.

There is HOPE. Get on board!! Join CoMO-CAL

**More mobile home parks trying to become condos by** Carolyn Said,

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/07/20/BU0V18OLQR.DTL&type=business>

Tuesday, July 21, 2009

A bill being debated in the Legislature would give local governments and park residents more say in such conversions. It would allow municipalities to give more weight to surveys of community residents in deciding whether to approve condo conversions.

"We're trying to make sure that people whose lives are going to be affected have a voice," said Assemblyman Pedro Nava, D-Santa Barbara, the bill's sponsor. "Mobile home parks are affordable housing. The notion that you could have the land sold out from under you is just abhorrent."

The bill passed the Assembly in May on a 41-31 vote and is eligible for a vote on the Senate floor Aug. 17.

Traditionally, mobile home park owners rent out lots and maintain common areas such as roads, clubhouses or pools. Residents own their dwellings but pay rent for the lots where they sit.

When a park converts to condo-style ownership, which requires approval to subdivide from the municipality, the so-called air space the mobile homes occupy is offered for sale, often for prices of \$100,000 to \$200,000, eliminating rent.

Critics say park owners are exploiting a loophole in state law that lets them cash in big-time, circumvent local rent control and gentrify affordable housing.

Some can't afford it

But park owners say this is a property rights issue, that going the condo route is the best way to capitalize on their investments, and that it benefits residents who can afford to buy or can obtain publicly assisted loans to buy.

Santa Rosa's Country Mobile Home Park is one whose owner has applied for condo conversion, a move opposed by a majority of its residents. Among them are Phil Dion, 70, and his wife, Mickie, 67.

"If it went condo, my wife and I would ... have to abandon our unit and leave," Dion said. "We'd have no place to go."

The couple paid \$50,000 for their two-bedroom manufactured house about seven years ago. The monthly rent for their space is \$515. "We couldn't afford to move our home, and we couldn't afford to buy the lot underneath," he said. "I contacted 13 finance companies, and only one would finance the lot purchase - at 18 percent interest."

The park's owner, Country Mobile Investments of Walnut Creek, could not be reached for comment.

Low-income residents who don't want to buy have lifetime rent-control protection. But as soon as one unit in the park sells, all the moderate-income and above residents get switched from local rent control - which ties annual increases to inflation - to state rent control, which allows rents to increase to market rate over four years.

In recent years, many cities and counties have barred mobile home parks from going condo, saying they want to preserve affordable housing.

In response, park owners have filed more than 15 lawsuits against the municipalities. The only one that made it through the appellate process was decided for the park owner, said Richard Close, a Santa Monica attorney who represents owners in many of the lawsuits.

Moving them unlikely

Residents prefer to call them "manufactured homes" and say moving their dwellings is prohibitively expensive. See Page 7 TOP.

"In the old days, if you didn't like a park, you unhooked and drove to another location," said Sam DiGiacomo, who lives in a mobile-home park in the town of Sonoma and runs the local chapter of the Golden State Manufactured-Home Owners League, which represents residents. "But now they're not really mobile; my home sits on a cement foundation, the wheels are removed."

"People think we're nomads that travel from place to place," said Suzanne Angeo, a resident of Santa Rosa's Country Mobile Home Park. "But we live here; these are our homes. Many of us have invested our life savings into them."

Many residents worry that going condo will wipe out that investment.

Potential buyers will heavily discount the value of the homes if they have to pay a big premium for the lots, said Will Constantine, a Santa Cruz attorney who represents park residents fighting condo conversion.

"When a park owner converts, the mobile-home owners lose about 95 percent of their homes'

value," he said. "If a resident wants to sell, the person buying has to buy the lot. If you have to pay \$200,000 for a lot, you won't have much left over to buy the mobile home."

For residents who are counting their pennies, that's a big worry.

"For many of us, this is our last home; we'll go from here to the grave or a nursing home," said Jean Warnes, 74, who chairs the homeowners association at Sequoia Gardens, a Santa Rosa mobile home park that has applied to go condo. It has the same owner as the Country park. "When we pass away, our heirs cannot inherit our homes if they must buy the air-dirt underneath. If we go to a nursing home, we will have nothing for our keep."

But not all residents agree. "As many years as we've paid rent, we could have bought this lot over and over," said Joan Allen, who has lived in Santa Rosa's Country for 29 years. "I feel it would be more advantageous to buy the lot. If we had the opportunity and the price was right, it would be a good investment."

AB566 is authored by Assembly Member Pedro Nava and co-authored by Assembly Member Warren Furutani. It was amended in the Senate on June 30, 2009 as follows:

### **Important Text of the Bill**

The sub-divider shall be subject to a hearing by a legislative body or advisory agency, which is authorized by local ordinance to approve, conditionally approve, or disapprove the map. The scope of the hearing shall be limited to the issue of compliance with this section. *In deciding whether to approve, conditionally approve, or disapprove a map pursuant to this section, the legislative body or advisory agency may additionally consider, in that hearing, whether the survey*

*required by subdivision (d) demonstrates that the majority of residents support the conversion.*

### **In Lay Terms**

In lay terms, this bill gives residents a "say" whether or not their park goes "condo." If the majority of residents do not support the conversion, then the local government has the option to disapprove the conversion.

Remember, a condo conversion is a "subdivision" of the park, usually initiated by a park owner. The park is NOT CHANGED, but remains the same (homes are not moved out of the park and condos built). In most cases, residents LOSE. The incentive for the park owner is 1. To break rent control, and/or 2. Greed.

**Carson in talks over mobile home park lawsuit** By Gene Maddaus 07/18/2009 07

After two defeats in court, the city of Carson has opened settlement talks with mobile home park owner James Goldstein, who is seeking \$150 million in damages.

The city has been locked in a legal battle with Goldstein for more than two years as he seeks to subdivide two 400-space mobile home parks and sell off the lots.

The city has tried to block the conversions, which residents generally oppose because they fear they will lose rent control protections. But in two court cases, a Los Angeles Superior Court judge has ruled that the city has no legal right to halt the process.

With no other choice, the city has scheduled an Aug. 11 hearing at the Planning Commission to discuss the proposed conversion of Colony Cove Mobile Estates. The matter will ultimately come before the City Council, which will likely face pressure from constituents to reject the conversion and keep the legal battle going.

"There's still a lot of hope that the conversion won't go through," said Chris Gaunder, chair of the Colony Cove Conversion Committee. "Carson certainly doesn't have unlimited funds to keep on defending lawsuits. Sometime they're going to have to bite the bullet." may be willing to offer redevelopment money to sweeten the deal. for families with young kids....."

[http://www.contracostatimes.com/california/ci\\_12866580](http://www.contracostatimes.com/california/ci_12866580)

**Encinitas Mobile home park conversion stirs up residents** by Wehtahnah Tucker

ENCINITAS — Despite the objections of several residents, City Council voted to allow the owner of a mobile home park to convert the rented lots to individual ownership during its meeting July 15.

The motion passed 3-1 with Councilwoman Teresa Barth opposing out of concern for the residents' health and safety concerns at the aging facility. Councilman Jerome Stocks was absent.

The final parcel map for the Sands mobile home park conversion was approved by the Planning Commission

on May 7, despite the protests from some people who complained that the owner, Sands Encinitas, LLC, was neglectful.

The city has been interested in the status of mobile home parks as they represent affordable housing. During a public workshop in April 2008 on ways to preserve the affordability of mobile home parks, some residents asked City Council to become more involved .

*For the full story on this and the other articles on this page, contact CoMO-CAL.*

**Carpinteria mobile home park residents cry foul : Renters say rents increase immediately when residents pass away, violating rent control policies**

Vista De Santa Barbara residents, who occupy 123 tidy homesites at the Carpinteria mobile home park, are exclusively senior citizens. Now some of them are taking the landlord to court, alleging violation of the park's rent control agreement. Some of the residents allege the owners are doubling the rent when an individual dies. "In other words, heirs of deceased residents are losing the rent control on these spaces," claimed Donna Zehrung, who has lived at the park

with her husband, Ron, for 11 years. She alleged the owners, whom she identified as David C. Robbins and Sidney Robbins, are violating state law by "vastly increasing" rents on the land on which some of the homes are sited. She said the landlords live out of state.....

July 8, 2009 SANTA BARBARA NEWS PRESS by STEVE SINOVIC

**Thanks to Those Who Help Out - Our "Unsung" Heros**

We must thank those who have helped fight for AB566 and against AB761. Here is a partial

listing in no particular order. We thank you all!

Brian Augusta	Terri Forsythe	David Pearson	Bob Slagle
Jim Burr	David Grabill	Merle Pitman	Michael Spector
Clay Butler	Bob Hites	Betty Preston	Kenneth Tatro
Len Carlson	David Loop	Paul Randall	Jean Warnes
Louis Cogut	Rober McConnell	Jim Richards	Mary Wood
Jim Dantona	Christine Minnehan	Sharon Rose	And many, many more
Sam DiGiacomo	Monica Narveson	David Roegner	residents! Thank You

**CoMO-CAL THIS and THAT**

1. This month ALL CoMO-CAL members will receive a HARD COPY of THE VOICE. Why? We have found it difficult to keep a correct, updated list of email addresses. And an email copy of THE VOICE does not have a mailing label with the members renewal date.
2. Renewal Date: Check out your mailing label. Your renewal date is at the top right of the label. Please try to get your renewal into us before your membership expires—this saves us the time and expense of a renewal notice.
3. When renewing, do not send in your renewal notice unless some of your contact information has changed. And DO NOT fill out another application - an application is only for NEW MEMBERS.
4. Welcome all our new members. Special thanks to The Cliffs, Vallecito, El Nido, and Bayview MHP.
5. Please join our legal services - just \$15/year. It is up and running. See page 14.
6. Unfortunately it is cumbersome to add two names to a membership and / or two addresses. Please know that your membership covers your household.
7. Membership Cards: Every member is getting a blue membership card this month. It is attached to you're THE VOICE. Your membership number is unique. The card also tells when you joined CoMO-CAL and your renewal date. Keep it safe, we will not issue you another for at least a year or two.
8. National Meeting: Depending on my personal situation, our President may be attending the national meeting in Seattle in September 2009. Bob Hites and Jerry Lenhard may be attending also.
9. Donations: Remember, donations are very important and allow us to continue work that we could not accomplish just on membership dues. We thank all who are contributed - whether it be \$5 or \$500 or \$5000.

## Mobile Homes Could Lose Rent Control Protection

by Larry Gross, Executive Director, Coalition for Economic Survival

Tenants' rights advocates were recently shocked when a bill, AB 761 (Calderon, D-Whittier), that would severely cripple all of California's over 100 local mobile-home rent control laws, passed the Assembly with the minimum votes needed. What was so shocking is that the bill only passed due to the support of a number of Los Angeles area progressive and liberal Democrats providing their support.

AB 761 would extend Costa-Hawkins mandated vacancy decontrol to all of the state's mobile home rent control laws. Mobile Park owners would be able to raise rents on mobile home spaces without limits when a mobile home is sold to a new owner. This would have grave consequences for mobile home owners who own the mobile home, but rent the space it sits on. AB 761 would likely wipe out the investments of senior and low-income mobile home owners by instantly de-valuing the worth of their mobile home coaches. The bill's passage would also give the real estate industry confidence and momentum to seek other attacks on rent control, tenants' rights and affordable housing laws.

### Bill Resurrected From the Grave

On Monday, June 22, the bill appeared to be dead, falling three votes short of the required 41 votes. But days later the bill was reconsidered with two key Democrats who did not vote earlier, switching to supporting the anti-rent control bill.

### Advocates Shocked by Who Supported the Anti-Rent Control Bill

Shockingly, those legislators who switched their votes and sold out the interest of mobile home owners were Speaker Karen Bass (D-South LA) and Anthony Portantino (D-Pasadena). The other Assembly Members who were surprise anti-rent

control bill supporters from the get-go were John Perez (D-LA), Mike Davis (D-South LA) and Kevin De Leon (D-LA). After the initial vote Mike Villines (R-Fresno) added to the Aye votes giving it 42 votes.

### Assembly Members Supporting Tenants' Rights

There were Assembly Members who held firm to their principled stand in support of tenants/mobile home owners rights and affordable housing, and should be thanked. They are: Mike Feuer, Julia Brownley, Bob Blumenfield, Felipe Fuentes, Bonnie Lowenthal, Dave Jones, Warren Furutani, Tom Ammiano, Pedro Nava, Mary Hayashi, Alberto Torrico and some others.

### State Senate Vote Still Needed

Luckily, AB 761 has met a chillier reception in the Senate. For the past weeks it has been stalled in the Senate Rules Committee where bills are sent for referral to policy committees. Normally a bill is referred to its policy committee within a few days after it arrives. Any bill still sitting in Rules Committee at this point in the legislative year is considered dead for the year.

**But, no one is willing to write AB 761's off just yet because legislative rules are routinely waived. Until the clock strikes midnight on the final day of session, few are willing to sign the death certificate.** (Larry Gross is the Executive Director of the Coalition for Economic Survival and a contributor to CityWatch. He can be reached at [www.cesinaction.org](http://www.cesinaction.org))

Editor's Note: We thank Larry Gross for his continued efforts to help, not only tenants in Los Angeles and around the state, but owners of mobile-homes. Thanks Larry.

### Valle Verde (Chatsworth) Residents Take Action

Attorney Joel Farkus called a meeting of all Valle Verde MHP residents on July 25th. A flier was distributed in the park and the clubhouse was reserved. Management was there in force to observe the meeting. The attorney simply asked them to leave, and when they wouldn't everyone moved to a residents driveway where they could conduct the meeting in private. Way to go!!

Residents discussed a variety of issues, from pass throughs, to utilities, rude and intimidating man-

agement, failure to maintain, interference of sales, and many other issues.

Frank Wodley, President of CoMO-CAL lent support to the attorney and will be assisting him as he works toward resolution of issues.

CoMO-CAL will help organize the residents, provide fliers, and expertise in mobilehome issues.

We wish the residents of Valle Verde good luck.

### GSMOL/CoMO-CAL Summits - What Happened?

Many have asked about the "summits." In fact there were three, February 27, April 2, and May 15th. The first summit was attended by GSMOL, CoMO-CAL, Neighborhood Friends (only Samii Taylor), and CMRAA.

Frank Wodley, CoMO-CAL President, submitted a "code of ethics" as a guideline for Advocate/Advocate, and Advocate/Member interaction. Christine Minnehan, in the notes for the second summit, stated "*We agreed that a Code of Conduct and Ethics would be an excellent first step for discussing our points of agreement and disagreement*" in the 2nd summit.

The second summit was split up into morning and afternoon sessions. Only GSMOL and CoMO-CAL attended the morning session - three representatives each: Tim Sheahan, GSMOL President, Jim Burr, LAT and Treasurer, and Bruce Stanton who presided over the meeting. CoMO-CAL was represented by Frank Wodley, President, Bob Hites, Vice President and David Grabill, CoMO-CAL Council. David Grabill came without payment and we are grateful.

Again, it was Frank Wodley who asked the question: "How can we best serve mobilehome

owners?" As the discussion continued it was suggested that advocacy in California should be:

- One state-wide group serving as an umbrella for local/regional groups
- Existing state-wide groups pool resources and expertise and merge.
- One newsletter /one website / one voice

Such a merge takes time and effort. Frank suggested the formation of a "steering" committee to brainstorm how a merge could take place. Both GSMOL and CoMO-CAL worked on a "joint press release."

When discussed at the afternoon session of the 2nd summit (April 2nd), all parties were amazed, including Brian Augusta, Christine Minnehan and John Tennyson. It appeared as if this were a new page in advocacy in California.

As of this printing, GSMOL's focus remains legislative, while CoMO-CAL's continues to be Unity, Education, and Communication. CoMO-CAL continues to support residents with issues in their individual parks - we make an effort to help everyone who calls us asking for assistance.

### Informational Fliers, Books, Pamphlets, and More

We now have a growing list of “informational fliers” available to our members. **Please help us distribute them to your friends and neighbors.** We can’t do it without you. If you truly want to be part of our Coalition and make a difference, request one or more of these fliers and pass them out in your park. Requests should be based on problems in your park, i.e. if management is removing older mobile homes, then flyer #1 “Removal of Older Mobilehomes/Upgrade of the Park” would help your friends and neighbors understand what the law really says. We only ask for a donation as we have printing and mailing costs.

- Removal of Older Mobilehomes / Upgrade of the Park: Read what Senator Dunn, Sal Poidomoni (HCD Riverside) and attorney Stuart Parker say about removal of older mobilehomes. AGE IS NOT A CRITERIA. Only Health and Safety issues are involved. Get an HCD inspection before you sell to protect yourself.
- Getting New Rules and Regulations: Read what 798.74 says about new rules and regulations. Above all do not sign them. Most are written by the park attorneys who have never seen the park. Most are not used to protect us and make our lives any better. Most are used against us.
- Sellers Guide by Clay Harrison: Read what Clay says about selling your mobile home. This is probably the time when park owners and managers break most laws. They are after your space and will make it difficult for you to sell..
- Complimentary Newsletter: Read about current happenings around the state. Get answers to the current questionnaire. United we stand, divided we fall. Learn about our legal fund.
- WMA Code of Ethics: Let’s hold our management to this Code of Ethics. If your manager is abusive, they need to be notified.
- Resident Owned Parks: David Loop has written a series of articles for CoMO-CAL about the issue of residents purchasing their park. Very informative and a must have for any park HOA.
- Don’t be a Victim.
- Trees and Driveways.
- Enforcement: We have articles about enforcement, one written by Bruce Stanton...
- Community Organizing Manual produced by All Parks Alliance For Change (Minnesota)
- Mobile Home Wars - by Donald DeVore, 30 year advocate for mobilehome owners
- Mobile Home Residency Law (English and Spanish) 2009.
- Senate Select Committee Informational Booklets - available through CoMO-CAL
- BCMOA Handbook of Mobilehome Rules, produced by the Butte County Mobilehome Owners Association, W.M. Struve, Executive Director
- Endeman, Lincoln, Turek and Heater (ELTH) questionnaire—for “failure to maintain” and “unfair business practices.”
- CoMO-CAL back issues of THE VOICE - starting February 2005.
- Management Problems...
- The Whisper—various subjects.

Whatever your need, CoMO-CAL probably has information. Call or email us.

WHAT SHOULD YOU DO?

If you own a mobile home older than 1974 and the park asks you to move it out of the park rather than sell it, what should you do?

If the park gives you a 7 day notice, what should you do?

If you receive a 3 day notice to pay or quit? What does it mean? What if you let the 3 day period elapse?

If management puts out a park newsletter saying there is a new park rule.

If you have a tree that needs to be removed from your space.

If you receive a 14 day notice?

If the park boots your car and demands payment to remove the boot.

ANSWERS TO ISSUES

1. Age is not a criteria to make you move your mobile home. Only health and safety issues. Call HCD for an inspection. Call CoMO-CAL and alert us.

2. First of all, you must know the legal consequences of violating a seven day notice. See Civil Code 798.56(d). If you receive three seven day notices within a 12 month period for the same rule violation, the park can give you a sixty day notice to vacate.

3. A 3 day notice is serious. Every effort should be made to pay within the 3 days; otherwise the park can and will serve you a 60 day notice of eviction. Ultimately, you could lose your home if you are not careful.

4. The park rule would not be valid. The park must hold a meeting and invite all residents for any new rules or regulations. We suggest you do not sign them. They will be effective 6 months from the date of the meeting.

5. If the tree poses a health and safety violation, ask the park to take care of it. If they refuse, make a complaint to HCD and they will come out and inspect.

6. The park may issue a 14 day notice if you have neglected the maintenance of your space. If you do not take care of the problem within the 14 days, the park may do it for you and charge you a fee.

7. There is legislation pending in Sacramento. It will make booting by the park illegal. At least one park has booted cars parked on the street and asked for a fee (up to \$75. to remove it)

**We intend THE VOICE to be informational, i.e. to inform you about happenings around the state and to educate you about important issues.**

**IF YOU DO NOT KNOW WHERE TO TURN, CALL CoMO-CAL AT 1-800-929-6061**

Thanks to Bayview HOA - Will Cawthra and Earl Baughman, and all who belong to their group, for their kind donation of \$500. This is equivalent to about 50 memberships and allows us to do much more than just send out the newsletter. They ask other HOA's to also contribute in support of CoMO-CAL and the work we do.

Next issue: A few residents in a mobilehome park here in Southern California have just won an important lawsuit against their management company and their park owner. It is still "fluid" and we hope to give you the details in the next issue of THE VOICE

## LEGAL FUND OPERATIONAL

Editor's Note: Of course you've read this before—in last months THE VOICE. Many have joined, but we want to see everyone getting on board with this new service. Members are already using it to have Jon Heim write letters in their behalf.

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CoMO-CAL is teaming with attorney Jon Heim and others to provide legal services to our members. Here is how the program works: To receive legal services benefits, you must:

- Be a member in good standing, with dues paid up to date
- Have paid an **annual \$15 legal services fee.**
- The issue MUST be a mobilehome issue.
- 

### Legal Services We Will Offer

Benefits for existing members start immediately, i.e. if you have a need for our legal services, call or send us an email today. The waiting period to talk with an attorney is 120 days for new members. New members can use the letter writing or ask a question immediately.

- You can talk with our attorney, Jon Heim, for 1/2 hour, free of charge. Or if you use another attorney, we will reimburse your costs up to \$75.
- Jon Heim will write a letter to your manager or park owner for \$135/letter. No limit. CoMO-CAL will assist in the process, no charge.
- If you have a question about the law, we will provide you a written answer from an attorney for \$35/question.

Jon Heim usually charges \$350/hour. He has written several articles for THE VOICE on various subjects of interest to mobilehome owners. And he has provided CoMO-CAL other assistance free of charge. Mr. Heim has always been prompt and

professional. We recommend Mr. Heim, and thank him for his continued assistance.

Attorney David Loop may participate also. If you have an attorney you can recommend, please let us know and we will add them to our list on Page two and three.

### Frequently Asked Questions

**Question:** I've heard about legal help before from CoMO-CAL. Will this program really happen?

**Answer:** YES, it starts July 1, 2009

**Question:** When can we send our \$15?

**Answer:** Do it today. We will keep track who has sent in their fee and when. We want you to start using this service ASAP.

**Question:** I've already sent CoMO-CAL money for legal services. Am I covered?

**Answer:** Yes. Your year of coverage will start July, 1, 2009 and extend one year through June 30, 2010.

**Question:** How do I use the service?

**Answer:** Call, mail or email us your request.

**Question:** I have questions. Who do I contact?

**Answer:** Call Frank Wodley, CoMO-CAL President at 800-929-6061 or 818-886-6479.

### Service is Our Goal

CoMO-CAL is continually striving to offer important services to our members. We hope this will motivate others to unite with us. Please tell your friends and neighbors. We are making a difference and thank you for your support.

**FOR PEACE OF MIND  
JOIN THE LEGAL FUND TODAY**

**Washington State's Answer to Enforcement by Frank Wodley, CoMO-CAL President**

I attended an "alternative dispute resolution" workshop at the National Conference held by attorney Ishbel Dickens (ishbel.dickens@columbialegal.org, 206-464-5936). Ishbel explained the purpose of the manufactured/mobile home dispute resolution program, introduced early in 2007, is to provide manufactured/mobile home community landlords and tenants with a cost-effective and time-efficient process to resolve disputes regarding alleged violations of the manufactured/mobile home landlord-tenant act (Washington state's MRL law).

The law may be found at: "<http://apps.leg.wa.gov/RCW/default.aspx?cite=59.30>" The program costs residents and landlords \$5/year/space. About \$800,000 is raised for the program.

Findings — Purpose — Intent. (1) The legislature finds that there are factors unique to the relationship between a manufactured/mobile home tenant and a manufactured/mobile home community landlord. Once occupancy has commenced, the difficulty and expense in moving and relocating a manufactured/mobile home can affect the operation of market forces and lead to an inequality of the bargaining position of the parties. Once occupancy has commenced, a tenant may be subject to violations of the manufactured/mobile home landlord-tenant act without an adequate remedy at law. This chapter is created for the purpose of protecting the public, fostering fair and honest competition, and regulating the factors unique to the relationship between the manufactured/mobile home tenant and the manufactured/mobile home community landlord.

(2) The legislature finds that taking legal action against a manufactured/mobile home community landlord for violations of the manufactured/mobile home landlord-tenant act can be a costly and lengthy process, and that many people cannot afford to pursue a court process to vindicate statutory rights. Manufactured/mobile home community

landlords will also benefit by having access to a process that resolves disputes quickly and efficiently.

(3)(a) Therefore, it is the intent of the legislature to provide an equitable as well as a less costly and more efficient way for manufactured/mobile home tenants and manufactured/mobile home community landlords to resolve disputes, and to provide a mechanism for state authorities to quickly locate manufactured/mobile home community landlords.

(b) The legislature intends to authorize the department of licensing to register manufactured/mobile home communities and collect a registration fee.

(c) The legislature intends to authorize the attorney general to:

(i) Produce and distribute educational materials regarding the manufactured/mobile home landlord-tenant act and the manufactured/mobile home dispute resolution program created in RCW [59.30.030](#);

(ii) Administer the dispute resolution program by taking complaints, conducting investigations, making determinations, issuing fines and other penalties, and participating in administrative dispute resolutions, when necessary, when there are alleged violations of the manufactured/mobile home landlord-tenant act; and

(iii) Collect and annually report upon data related to disputes and violations, and make recommendations on modifying chapter [59.20](#) RCW, to the appropriate committees of the legislature.

**PLEASE SUPPORT OUR EFFORTS IN 2009  
TO HAVE SIMILAR LEGISLATION IN  
CALIFORNIA**

**Letters to The Editor from the Modesto Advocacy**  
**Let's Give Credit Where Credit is Due & Dear Mr. Calderon**

July 21, 2009

Mr. Tim Sheahan, President

Mr. Bob Markley, Chair, Membership Act Team

Mr. Jim Burr, Treasurer, Chairman Leg Act Team

Gentlemen:

My name is Sally Studer, leader of the Stanislaus (County) Mobilehome Owners Advocacy, headquartered in Modesto. After reading the Special Membership Section of the May/June issue of the *Californian*, we found it disappointing that GSMOL gave no recognition to the other organizations, large and small, that were involved with the defeat of Proposition 98. The League of California Cities spearheaded many of those efforts, including ours.

We received ongoing alerts and material from CoMO-CAL, including an excellent, detailed comparison of Props 98 and 99 written by The

League that was used extensively by our organization. Accompanied by a cover letter, it was sent to our County Supervisors and the Council members of all cities within Stanislaus County, with whom we were working on the issue of rent control. This information was also distributed to 23 local radio and TV stations, some of whom we also spoke to. Updates and other materials on the issue were discussed at our meetings and distributed with our 1,400 monthly newsletters.

It is discouraging when one organization gives no credit for what so many others worked very hard to help accomplish. How unfortunate it would be should this lack of recognition cause those, who *had* actively participated, to no longer wish to be involved in future legislative actions.

Sincerely,

Sally Studer

Stanislaus Mobilehome Owners Advocacy

Dear Mr. Calderon:

As the author of AB 761, you stated on the Assembly floor at the May 13, 2009 hearing, "A trailer is, for all intents and purposes, just a car – it is a vehicle."

The DMV Code declares the following:

A "trailer coach" is a vehicle, other than a motor vehicle, designed for human habitation or human occupancy for industrial, professional or commercial purposes, for carrying property on it's own structure, and for being drawn by a motor vehicle.

A mobile home is a factory-built housing unit built prior to June 15, 1976. On that date, mobile homes built to meet or exceed the Federal Housing and Urban Development Code are also called manufactured homes.

Modular homes are built in sections at a factory. They are built to conform to all state and local building codes where the home is to be permanently installed.

The majority of mobile homes remain on their original set-up site, providing low- and affordable-income housing for 700,000 California residents. There are few locations other than mobile-home parks zoned to accommodate these homes and the cost to relocate them is astronomical.

As a member of the Assembly Housing Committee, please consider these facts when dealing with mobilehome issues in the future.

Sincerely,

Sally Studer Stanislaus (County) Mobilehome Owners Advocacy

**Endorsement of CoMO-CAL by ex-President of COMPAC**

Dear CoMO-CAL:

I would like to first congratulate you for the Professionalism of THE VOICE. The publication is filled with very important and informative information for those of us that live in Mobile Home Community in the state of California.

I am the past President of COMPAC, INC (County Mobilehome Political Action Committee) in San Diego County, and have watched the growth of the Coalition of Mobilehome Owners in the state. Congratulations.

A great job with the issues of legislation at the state level. We sure have to work hard for our

rights don't we? CoMO-CAL is doing a much better job than GSMOL

Cordially,  
 Mel Robinson  
 Lakefront Mobile Home Community  
 Lakeside, Ca. 92040  
 619-443-5647

BTW: Anyone interested in prepaid legal services, contact Mel at 619-443-5647 or Go to [www.prepaidlegal.com/hub/melvinrobinson](http://www.prepaidlegal.com/hub/melvinrobinson) for additional information. (This is NOT the legal services provided by CoMO-CAL)

**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: \$ \_\_\_\_\_

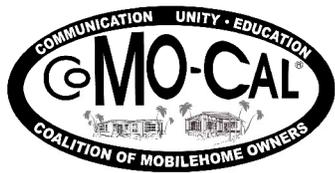
**MAIL TO: CoMO-CAL, P.O. BOX 4821, CHATSWORTH, CA. 91313-4821**

MEMBERSHIP (\$20/12 Months, \$38/24 Mo. or \$54/36 Months) 90 day full refund guarantee if not satisfied

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

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

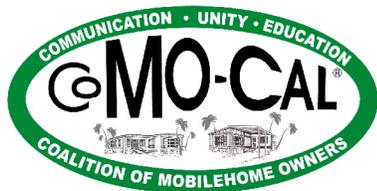


#### NEWSLETTER EDITOR

FRANK A. WODLEY  
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<http://comocal.org>

800-929-6061 / 818-886-6479



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

#### SERVICES WE PROVIDE OUR MEMBERS

1. 6 issues (or more) of THE VOICE. Usually 16-20 pages long, filled with important information no mh 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 now have LEGAL ASSISTANCE plus several attorneys to help with litigation or give advice.
6. Above all, a way to UNITE and have a VOICE.

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