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THE VOICE

COALITION OF MOBILEHOME OWNERS

NOV/DEC 2009 VOLUME 5 ISSUE 10

TIS' THE SEASON TO SHARE

It is that time of year, a time for sharing. So after reading this issue, please hand it to a friend/neighbor so they can understand what is happening and the need for all mobilehome owners to come together as a family and fight for their rights. After all we are AMERICANS.

Most of you know by now that Governor Schwarzenegger vetoed AB566 (Condo Conversions) a bill which would have given residents some say whether or not their park was "condoized." Now residents have little to do but cave into their park owners. They eventually will lose their local rent control and most of their equity. See the full story on PAGE 3.

A must read this month is attorney David Grabill's article on PAGES 4-5 about the consequences of the veto of AB566 - the loss of local rent control, the loss of equity in our homes, even the chance that we will be forced out of our homes....

The threats are real - the loss of rent control, condo conversions, vacancy decontrol, unequal enforcement of rules and regulations, interference of sales, harassment, intimidation, etc.

THE SOLUTION IS TO ORGANIZE.

Attorney David Grabill (CoMO-CAL's council) advises mobilehome owners not to mourn, but to organize. All it takes is three or four residents in a park getting together to start a HOA. CoMO-

CAL is a terrific resource to help you form a HOA. If you are in a park without a resident association, please request some of our literature - both organizational and helpful for other issues. See PAGE 13.

That means forming an effective HOA in your park and joining CoMO-CAL. Why join CoMO-CAL? See PAGE 14.

UTILITY BILLS & 7 DAY NOTICES

This issue we include information from Project Sentinel (see PAGES 6-7), a non-profit agency providing services to help people resolve housing problems. The agency assists home seekers as well as housing providers through counseling, complaint investigation, mediation, conciliation and education. The services are funded by cities and counties in the greater Bay Area and Central Valley. All services are free and confidential. Their website is: <http://www.housing.org/>

ENFORCEMENT

Don't forget about enforcement. Today NO ONE is enforcing the Mobilehome Residency Law. Check out PAGE 8 for Washington State's Law.

QUIZ

Do you read and understand THE VOICE. Take a short quiz and let's see how well you do. It is important that you have a basic understanding about issues we face today. See PAGE 9.

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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.

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DVD on purchasing your park—on request

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AB566 VETOED BY GOVERNOR SCHWARZENEGGER

CoMO-CAL sent out the following email ALERT the morning of October 12. (If you have email and are not getting our ALERTS, please send us an email asking to be added to the ALERTS NETWORK).

Governor Vetoes AB 566.

We have just learned the unfortunate news that the Governor has vetoed AB 566. Of course, we are all greatly disappointed. Those living in parks where conversions are pending or the threat of conversion is looming desperately need the protections that this bill would provide.

While earlier today the Governor backed off his threat to veto all or most of the bills pending before him, AB 566 did not win a reprieve. The Governor's veto message reads:

"I am returning Assembly Bill 566 without my signature. While the intent of this bill is to preserve low-income housing, the fact that a majority of mobilehome park residents do not support a conversion is not an appropriate means for determining the legitimacy of a conversion. The law is not intended to allow park residents to block a request to subdivide. For this reason I am unable to sign this bill. "

A personal note from Frank: it has been a long, rocky road this 2009 Legislative Session. I am proud of all of you who gave your time calling, faxing, signing post cards, distributing cards, or actually going to Sacramento. Mobilehome owners DO have a voice. It is my hope that our number grows and we become more unified, as the battles surely will continue in 2010 and beyond. I also want to thank all of you who have supported CoMO-CAL. We have made a difference! We distributed almost 15,000 post cards in our effort to convince Arnold to sign AB566. If we do this again, we can double or triple our distribution...

We also understand that many mobilehome owners called or wrote Sacramento that they did not want the Governor to sign AB566! How did this happen? Well the WMA and park owners worked hard to defeat this bill. And they had managers spreading the word that AB566 would hurt mobilehome owners and some believed this!

This is just another example how important it is to organize and to TRUST CoMO-CAL and other advocates. We only want what is best for you. Please help us help you—ORGANIZE YOUR PARK.

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ATTORNEY DAVID GRABILL'S SUGGESTIONOctober 12, 2009

Many of you have already heard the bad news. Schwarzenegger vetoed AB566 yesterday, saying he didn't like the idea that cities could take the views of residents into consideration and turn down a conversion if most residents oppose it -- even if ALL residents oppose it.

So what's next? Expect the park owners and their lawyers Close and Loftin to step up conversions of mobilehome parks in cities and counties with mobilehome rent control. Cities, stung by recent court defeats, will be reluctant to put up much resistance. Look for rent control ordinances to be watered down (and rents to increase) -- park owners will say 'gimme' a big rent increase or I'll do a condo conversion and be exempted from rent control altogether." Mobile home resale values will continue to decline -- potential buyers will ask "why buy a home in a park where it could convert to condo's tomorrow."

What can be done? As Mother Jones said, "Don't mourn. ORGANIZE!" She was talking about labor unions, but the same applies in mobilehome parks. The most effective way for residents to protect their rights is to have a strong residents' association. Your residents association can stand up to park owners who try to convert to condos. There are still legal protections for residents, but these only work if residents in a park work together to assert their rights. Condo conversions must still be approved by local governments, and local governments can and should insure that no residents will be displaced by condo conversion.

A strong residents' association can help get good city council members elected -- members

who will stand up for the rights of mobilehome residents. It can and should work COOPERATIVELY with other residents' associations in the county and in Sacramento to help get laws like AB566 passed, and protect rent control. We have two strong state-wide groups - CoMO-CAL and GSMOL - that worked day and night to get AB566 and AB1542 passed. These groups need your support (and member dues). Their officials and lobbyists don't do this work for money -- most are volunteers trying to protect their families and friends and fellow mobilehome residents.

Schwarzenegger vetoed AB566 this year and AB1542 two years ago. In a year, there'll be a new governor (and some new legislators). We need to make sure the next legislature will PASS a condo conversion bill that provides real protections for the one million Californians who live in mobilehomes, and we need to get a governor elected who will SIGN the bill. **DON'T MOURN, ORGANIZE!**

October 23, 2009

With recent bad court decisions and Schwarzenegger's veto of AB 566, mobilehome park owners are likely to step up efforts to convert parks to condominiums. Local governments will be more hesitant to provide protections for residents as condo conversions move forward. Park owners see condo conversions as a way to reap huge profits, and an easy way out from under local rent control. The reality for mobilehome residents is grim, and recalls an earlier time -- May 13, 1940 -- when a British statesman said " **I have nothing to offer but blood, toil, tears, and sweat. We have before us an ordeal of the most grievous kind. We have before us many, many months of struggle and suffering.**"

While mobilehome residents aren't facing anything like the harm that England faced in 1940, they do face real harm and **some may even be forced to move from their homes if their park is converted to condominiums.** Resisting a condo conversion will require many months of real struggle, but there are good and effective ways to fight back.

For these to be successful, mobilehome residents have to:

-- know and understand all the consequences of conversions, e.g. loss of most or all of their home equity; loss of rent control for many or most residents; and paying for costly infrastructure repairs to the park. The owners and their lawyers mount very slick efforts to confuse, frighten, divide and conquer residents. Many residents can be snookered into thinking it's a good idea if there's no other information available to them.

-- build and participate in strong residents' associations in their parks that can mount an effective response to condo conversion, both by lobbying the city council or board of supervisors, and by raising money to fight the park owners' legal challenges. Parks with weak or non-existent residents' associations make easy targets for condo conversions. The park owners like to set up their own puppet resident associations that will support conversions in these parks.

-- work with residents' associations in other nearby parks to support their efforts to battle conversions (and get support in return). If you help out a residents' association in a nearby park that's under threat of conversion or closure, then they're likely to reciprocate if and when you need help. This is especially important when a condo conversion comes up for a vote at the city council -- the outcome of that vote will affect all the parks in the area. It's also important for

election campaigns and lobbying at the state level. These issues affect all residents one way or another. Residents associations need to work together on other issues at the city or county level, including code enforcement; rent control, and health/safety issues.

-- help get people elected to local and state government who will stand up to the park owners on condo conversions and other important issues. And we need to be talking to the candidates running for Governor next year... Republicans and Democrats ... to see which ones will **support and sign a strong condo-conversion bill.**

-- participate in our state-wide mobilehome residents' associations: CoMO-CAL is doing a great job at the grass roots level, and they have an excellent newsletter (I work with them); I'm not as familiar with GSMOL, but I know they have excellent people working on legislation in Sacramento. Join them both and urge your neighbors to join also. If we're going to get the laws changed, we have to have strong voices advocating for residents at all levels of government.

So mobilehome residents are stuck at this point with some very weak laws, and some very bad court decisions. But -- paraphrasing Churchill -- with lots of toil, tears and sweat and a willingness to work with other residents and with residents' organizations, the park owners can be beaten.

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PROJECT SENTINEL - ADVOCATES FOR TENANTS

UTILITY BILLS

Q. Utility bills charged to residents in our park have skyrocketed recently and the local utility says park residents are not their customers and we can only speak to the park owner or management. Is there any recourse for utility overcharges in mobilehome parks?

A. Most parks are so-called “master-meter” operators, which own, operate and maintain the electric, gas and water distribution system within the park and bill their residents with the monthly rent statement. Although under the Public Utilities Code master-meter customers are supposed to charge no more than the serving utility, like Edison, would charge a resident, including passing on any low-income rebates or discounts, such as “CARE,” enforcement is somewhat lacking. Residents can call County Weights and Measures (W&M) to have them check the accuracy of their meters and assure they have been sealed. Some W&M offices are willing to look into billing complaints, such as failure to provide proper billings or post rates, but most only check the accuracy of the meters. SB 1163 (Dunn, 2004) required the CPUC to take informal complaints from master-meter customers (park residents) and that the names and phone numbers of private billing agents be disclosed by the management in the master-meter billings to individual residents. The CPUC often refers these complaints to the serving utility to work out with the park management. The process can often be lengthy with mixed results. Lastly, if a resident can document errors in his/her billings, or refusal of the park to apply the proper gas or electric rate, or CARE or other discount, the resident can seek damages in Small Claims Court.

SEPARATING CHARGES

Q. On last month's billing, the park suddenly started charging us for sewer, water and garbage previously included in the rent. Can the park impose these extra charges on top of the rent?

A. It depends on your rental agreement. If your rental agreement provides that sewer, water and garbage were included in the rent, the park management can then itemize or charge you separately for these utilities only if they follow the requirements of MRL Section 798.41. Otherwise they may be in breach of the rental agreement. This section requires that they simultaneously deduct the average monthly amount of these utility charges from the rent when they itemize and charge you separately for them. If the management refuses to deduct the charges from the rent, you should then pay the amount under protest and seek redress in the courts. This is the type of issue where it is advantageous to have a homeowners' association help in seeking legal action on behalf of a group of homeowners all facing the same problem. If your rental agreement does not indicate that these charges are included in the rent, then the park owner could charge you for them but only after complying with the 60-day written notice requirement of Section 798.32.

WATER CHARGES IN PARK

Q. Despite the fact we are not using any more water than usual and what little landscaping we have is served by a drip system, our water bills for sub-metered water in the park have increased significantly in the last two months. How do we find out whether we are being overcharged?

A. If you have metered water, compare your most recent bills with previous bills to determine whether your usage or the rate applied against the volume of water used has changed and is accurately calculated. If not, you should contact the management. Parks are supposed to itemize this information on your billing as well as post the utility rates in a conspicuous public place in the

park. If the park cannot give you any answers or help, call the County Sealer (Weights and Measures) and ask them to check the accuracy of your meter. You may also wish to check to make sure there are no plumbing leaks under your home or in your fixtures of which you are not aware. But if none of these steps resolve the problem, you may also file a complaint with the California Public Utilities Commission (CPUC) about rate issues and overcharges but only if the park receives water from a water utility or supplier regulated by the CPUC. If water is CPUC regulated, the end customer (park resident) may only be charged a water rate that the regulated utility would be able to charge residents if they were served directly by the utility. This would include a usage or volumetric rate and a customer service charge (meter reading and service). However, the majority of parks are not served by regulated water utilities but by municipalities, water districts, utility districts, or even the park's own water well system, and are not really regulated by the CPUC. One exception is that the CPUC may take complaints from residents of parks about service or rates charged by parks using their own water systems or underground wells or, if the park is subject to local mobilehome park rent control, rent control authorities may be able to provide some relief depending upon how the rent ordinance is written or administered. Otherwise, the resident would have to complain to the appropriate governing board of the municipality, water or utility district actually furnishing water to the park or consider filing a civil action in small claims court when bill calculations are obviously incorrect. In a civil action, generally speaking, even for non-CPUC regulated water, the most reasonable rate – though not legally required – would be the same rate that could be charged in a CPUC regulated case – i.e. the same rates that any other residential customer in the jurisdiction would be charged (volumetric rate plus a customer charge) if served by the municipality, water district, or utility directly.

EVICTION FOR RULE VIOLATIONS

Q. Last month my neighbor received an eviction notice which indicated that she was in violation of park rules, without any other explanation, and that she has 60 days to move herself and her home out of the park. The management refuses to discuss the eviction with her and returned her rent check for this month. What does she do?

A. The first step is to seek advice from an attorney, or a mobilehome advocacy group that can refer her to counsel familiar with these kinds of cases. MRL Sections 798.55 and 798.56 govern termination of tenancy in a mobilehome park. In a mobilehome park, your tenancy can only be terminated for just cause, meaning they can only terminate you for seven specified reasons in the code, including violation of a park rule or regulation. The management must also give you a 60-day notice, but if you refuse to move after the 60-day period, the park management has to take you to court in what is known as an unlawful detainer action, similar to other residential tenancies. There you have the opportunity to tell the judge your side of the story. If you are evicted, depending upon the court, you may be required to pay the management's attorney fees, in addition to having to leave the park. In this case of termination for a rule violation, the homeowner may have a good defense because the code requires management to specify the rule broken and particular circumstances of where and when, and they first have to give you seven days to correct the rule violation. If you can show the court they didn't follow these requirements or give you that opportunity to conform within seven days, the park cannot proceed with termination. However, if you violate the rule more than twice in a 12-month period, on the third violation, the management may proceed with termination despite the fact you have cured the violation (Sec. 798.56d), a sort of "3 strikes and you're out" provision. If the management refuses to accept the resident's check for rent, the resident should put the rent money in a trust or escrow account at a bank so the resident can later show good faith to the court in trying to pay the rent. Termination of tenancy (eviction) in a mobilehome park is a vitally important matter because a resident can lose their home, so they should not waste time seeking legal help.

WASHINGTON STATE'S ANSWER TO ENFORCEMENT by Frank Wodley

I attended an “alternative dispute resolution” workshop at the 2008 National Conference held by attorney Ishbel Dickens (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.

ARE YOU REALLY READING & UNDERSTANDING “THE VOICE?”

Remember, knowledge is power. We publish THE VOICE, not for us, but for you, your friends and neighbors. Why? So you have some understanding of facts, issues, legislation, and other information critical to every mobilehome owner in California.

Whenever we go into a park and chat with the residents, few know even the basic facts. So go get a pencil and paper and take the following QUIZ and test your knowledge. But don't cheat! Answers can be found on PAGE 10.

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1. What does MRL stand for?
 2. What is another name for MRL?
 3. Do you have a copy of the MRL? Where did you get it?
 4. What is Title 25?
 5. What issues does Title 25 address?
 6. What does HCD stand for?
 7. What is HCD supposed to do?

8. What is the Mobilehome Ombudsman?
9. What does the Ombudsman NOT DO?
10. What does WMA stand for?
11. What is the WMA? What does the WMA do?
12. What is a condo conversion?
13. Are all condo conversions bad?
14. When is a condo conversion good?
15. What is a RSO?
16. What does it do?
17. How many cities and counties have a RSO?
18. What is Vacancy Control?
19. How many total parks are there in California?
20. How many total spaces/ residents?
21. What was Proposition 90? Proposition 98?
22. What was AB761? Why did we oppose it?
23. What was AB566? Why did we support it?

BRAINSTORMING WORKSHOPS

CoMO-CAL and MOHOC (Merle Pitman, Ojai) have now teamed up to sponsor two workshops. The first was held in Carpinteria on September 12th and the second in San Rafael on October 18th.

Both were attended by approximately 35-40 mobilehome owners. Those attended said the workshop was very worthwhile and recommended it to others.

Subjects included organization, politics, legisla-

tion and rules and regulations. We will report in future issues the results of these workshops.

We are ready to sponsor a workshop in your area. Please call or email us if you and your park will host a workshop.

Email Frank at comocal@yahoo.com or call 800-929-6061. We will organize the workshop and put out ALERTS asking for folks who would like to participate.

ANSWERS TO QUIZ ON PAGE 9

1. **What does MRL stand for?** *It stands for Mobilehome Residency Law.*
2. **What is another name for MRL?** *Civil Code.*
3. **Do you have a copy of the MRL? Where did you get it?** *All residents, by law, should receive a copy of the latest MRL around February 1st, from park management.*
4. **What is Title 25?** *It is the Health & Safety Code.*
5. **What issues does Title 25 address?** *Health and safety issues. Trees/utilities/common areas—anything that deals with health and safety*
6. **What does HCD stand for?** *It stands for Housing and Community Development. It is a state agency.*
7. **What is HCD supposed to do?** *It is supposed to enforce Title 25.*
8. **What is the Mobilehome Ombudsman?** *An agency of the state of California*
9. **What does the Ombudsman not do?** *They DO NOT enforce the MRL or Civil Code.*
10. **What does WMA stand for?** *Western Manufactured Communities Association.*
11. **What is the WMA? What does the WMA do?** *About 40% of all park owners in California belong to the WMA. The WMA represents park owners - in Sacramento, in local areas.*
12. **What is a condo conversion?** *It is a subdivision. Residents can purchase a share based on the number of lots in the park.*
13. **Are all condo conversions bad?** *No.*
14. **When is a condo conversion good?** *One that is resident initiated, where the park is sold for a reasonable amount...*
15. **What is a RSO?** *Rent Stabilization Ordinance, i.e. rent control.*
16. **What does it do?** *Sets limits on the amount a yearly rent can increase. Also other provisions like “pass-throughs.”*
17. **How many cities and counties have a RSO?** *About 110, representing 165,000 spaces.*
18. **What is Vacancy Control?** *Usually part of an RSO which limits the amount rents can be increased upon sale of a mobilehome.*
19. **How many total parks are there in California?** *About 4,700.*
20. **How many total spaces/ residents?** *About 365,000 total spaces and 700,000 residents.*
21. **What was Proposition 90? Proposition 98?** *Proposition 90 was a “Trojan horse” posing as eminent domain, but actually would have eliminated rent control. Proposition 98 was similar to 90 - it was sponsored by the Howard Jarvis folks and funded by park owners. It too would have eliminated rent control.*
22. **What was AB761? Why did we oppose it?** *AB761 would have eliminated vacancy control, i.e. it would have allowed park owners to increase rents to “market rent” upon the transfer of a home. We were opposed because it would eliminate a right some of us enjoy today.*
23. **What was AB566? Why did we support it?** *AB566 was about condo conversions. It would have given residents in parks a voice whether or not a park owner could condo convert a park. It would have allowed local governments to consider a “survey” of residents when a majority of residents were opposed to a conversion. The local government could approve, approve with conditions or disapprove a conversion based on the survey.*

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.

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.

TERRIFIC WORK ALL!

Our recent project “Post Cards for Arnold” was a real grass roots effort. We thank MOHOC for sharing costs. CoMO-CAL coordinated all printing and distribution of the cards.

We started with 5,000 cards and eventually expanded to almost 15,000!

This is the kind of effort we need for organizing. Everyone reading this MUST realize that organiz-

ing is critical to our success. We need an army, not just a few generals. What can be more important than protecting your lifestyle and investment?

And if you contribute to charities, then consider a charity that benefits you—CoMO-CAL. Advocacy costs money, and a strong CoMO-CAL needs your donations.

TERRIFIC WORK!!

Park Owners “Maturing Mortgages” = Opportunity for MHP Residents by D. Loop

Strange as it sounds, the troubled state of the mortgage market may give your resident group the best chance ever to buy the park where you live.

Real Estate Investing – Before the Mortgage Crisis

Investors who buy mobilehome parks have traditionally followed the basic principles of real estate investing:

- Buy a park for as low a price as possible.
- Put down as little as possible and finance the rest (usually about 80%) with a bank loan.
- When the bank loan comes due (usually after five years), either (1) sell the property to another investor and take a profit, or (2) refinance the loan and keep the park for another five years or so.

Things Have Changed

The mortgage crisis has affected the availability of loans for income-producing real estate such as mobilehome parks. These days, it's very hard for an investor to get a bank loan to purchase or refinance a mobilehome park. This problem is likely to continue - some say for years to come.

Park Owners “Maturing Loan” Problems

Many mobilehome park owners have mortgage loans on their property, and many of these loans will come due in the near future. Remember, these loans typically have a five-year term. Park owners with maturing mortgage loans need to either (1) refinance the loan or (2) pay it off by selling the park.

Banks have new, strict terms for mobilehome park investors. To refinance their mortgage loans today, park owners must put in a substantial amount of cash (often, about 20% of the property's value). Or, they can pay off the loan entirely - if they sell the park. But owners are finding few buyers will-

ing to pay a fair price. This is largely because buyers can't find high-leverage loans in today's mortgage market.

Twist of Fate

So, park owners with maturing mortgages have a serious problem. But what does this mean to your resident group?

The important concept is this: while the commercial mortgage market has dried up, there is an active “niche” mortgage market that helps resident groups buy the parks where they live. I know of several resident groups that are buying their parks right now, using financing from these niche lenders. Bottom Line: the financing that resident groups need to buy their parks is available today, while most mobilehome park “for-profit” investors aren't even in the game.

Action Plan

Here's how you might seize this opportunity.

Send a letter to your park owner on the behalf of your resident group. Tell him your group is interested in buying his park, and will pay a fair price for it. Emphasize that your group believes it can get financing to buy the park, even in the current difficult mortgage market. If you contact me, I'll send you a sample of this letter.

The basics of the mortgage lending market have changed, and changed in your favor. To succeed, you'll still need a park owner who's willing to sell his park at a fair price. If your park owner is faced with a maturing mortgage loan, your letter will definitely get his attention. It could also lead to resident ownership of the park where you live.

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

PUBLICATIONS

We now have a growing list of informational publications available to our members. All mobile-home owners need this information. Pricing includes first class mail to your door. Significant reduction in cost for multiple copies of any document. Call us for further information.

1. Community Organizing Manual produced by All Parks Alliance For Change (Minnesota) (150 pages, \$12.00)
2. Mobile Home Wars - by Donald DeVore, 30 year advocate for mobilehome owners (63 pages, \$10 by email, \$17 snail mail)
3. Mobile Home Residency Law (English and Spanish) 2009. (93 pages, \$5.00)
4. BCMOA Handbook of Mobilehome Rules, produced by the Butte County Mobilehome Owners Association, W.M. Struve, Executive Director. Part I (18 pages, \$3.00)
5. Back Issues of CoMO-CAL's 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. (16 pages, \$2.00)
6. Bruce Stanton Articles: We have articles about enforcement, and other issues. A must read... (\$3.00)
7. Purchase Your Park: A series of articles by Attorney David Loop (\$5.00)
8. Endeman, Lincoln, Turek and Heater (ELTH) questionnaire—for "failure to maintain" and "unfair business practices." (\$2.00)
9. Senate Select Committee Informational Booklets - available through CoMO-CAL (\$4.00)
10. The Whisper—various subjects. (\$1.00 each)
11. 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. (4 pages, \$1.00)
12. 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. (\$1.00)
13. 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. (4 pages, \$1.00)
14. WMA Code of Ethics: Let's hold our management to this Code of Ethics. If your manager is abusive, they need to be notified. (\$1.00)
15. Don't be a Victim. (\$1.00)

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

KNOWLEDGE

IS

POWER

CoMO-CAL THIS AND THAT

1. **New Members:** Welcome all our new members—from Capistrano Valley, Vallecito, El Nido, San Rafael (Harbor City), and other parks.
2. **Renewal Notices:** They are generated by the software we use. Some have made suggestions for improvements and we are working on them. Look for a new renewal form next year.
3. **Legal Services:** Effective January 1, 2010, the annual fee for legal services is \$25. Those who join may receive reduced fees for attorney services - email questions/ letters/ and a consultation. Call CoMO-CAL for details.
4. **THE VOICE ONLY:** Effective January 1, 2010 new members can get THE VOICE for \$12/year.
5. **Husband and Wife:** Membership is for one family, i.e. husband and wife. To simplify record keeping, we only include one name on the membership, but both are CoMO-CAL members.
6. **Donations:** Thank you all who have sent in donations...they are all appreciated.

WHY JOIN CoMO-CAL?

It's really a "no brainer." We are the fastest growing advocacy group in California. We have the best, most informative newsletter (THE VOICE). In fact it is endorsed by many advocates and associations. It is published more frequently than any other in the state.

We guarantee you will be happy with our services - we offer all new members a 90 day, full refund of membership dues. No other group does that.

CoMO-CAL is the "glue" to bring you together with others around the state. We network folks with similar problems. You don't have to "go it" alone.

CoMO-CAL has attorneys who offer reduced rate services. Many have already taken advantage of this service and you can too, just join our legal services program.

We have an informative website: comocal.org. We have a message board at yahoo groups. We send out a single page flyer called the WHISPER

to parks without many members, so everyone knows we are an advocate for them.

We think outside the box. We are now sponsoring "brainstorming solutions" workshops to formulate new approaches to addressing issues.

We have an email NETWORK which reaches thousands, more than any other group - giving residents up-to-the-minute information.

So why is that important? For example, take the post card campaign asking the Governor to sign AB566. It took just 3 days to get several thousand post cards to mobilehome owners - all because of the email network and the quick response of CoMO-CAL. We can act almost immediately when we must.

Above all, CoMO-CAL is YOUR organization. We listen to you and act on your suggestions. Call us anytime and say hello. We answer our phones— after all we are family!! You are not alone....we are here for you.

CONGRATULATIONS DONNA MATTHEWS by Frank Wodley

I consider Donna Matthews my friend. Long before CoMO-LAC or CoMO-CAL, Donna and I were managers for GSMOL. We attended many GSMOL board meetings in Garden Grove together. We would stand up and deliver our “three minutes for the good of the order.” We would talk about improving GSMOL and make suggestions. In fact Donna was one of the GSMOL managers who helped me write the GSMOL Recommendations Report in the summer of 2004.

One of our priorities was ENFORCEMENT and long before I was an advocate, Donna was writing and talking about it.

I read in the September/October Californian that Donna was assigned the new position of Special Assistant to the President for Enforcement Help.

This is long overdue and I congratulated Donna when I called her the other day. Enforcement is the key, not new laws. I understand California has more laws to protect us than any other state. But laws are useless without enforcement. Perhaps now advocates will brainstorm TOGETHER how to bring enforcement to California mobilehome owners.

THANK YOU DONNA FOR YOUR 24 YEARS OF DEDICATION TO HELP US!

CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

NEW MEMBERSHIP APPLICATION (Print Please)

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E-MAIL ADDRESS: _____ ZIP _____

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SIGNATURE OF APPLICANT _____ SPONSORED BY _____

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

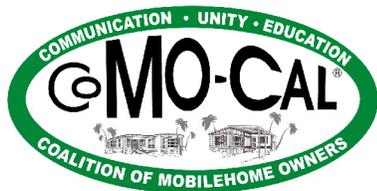


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SERVICES WE PROVIDE OUR MEMBERS

1. 6 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.

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