



FOUNDED 2004

THE VOICE

COALITION OF MOBILEHOME OWNERS - CALIFORNIA
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FINALLY THERE IS HOPE -PEDRO NAVA INTRODUCES AB1803

We are excited to learn that Assemblymember Pedro Nava is introducing a new bill, AB1803, patterned after the Washington State Manufactured Housing Dispute Resolution Program (MHDRP).

“My legislation will help both residents and park owners resolve issues in a more amicable and cooperative process,” said Assemblymember Nava. “The mediation process will help to level the playing field and reduce the need for costly and lengthy liti-



gation between residents and park owners.”

CoMO-CAL was founded on

the premise that laws require enforcement. We have promoted the MHDRP for over eighteen months, writing about it eleven times in THE VOICE.. CoMO-CAL is 100% behind a program patterned after MHDRP - it is what we have been waiting for. Please join us in supporting this extremely important bill.

See page 5 for additional details on this legislation.

WHAT'S NEW WITH CoMO-CAL? by Frank Wodley, CoMO-CAL President

It has been a busy few months for me. I've been studying Adobe InDesign CS4 in order to totally redesign THE VOICE. How do you like it? Let me know.

We are also upgrading our website at comocal.org with the help of Don Green of DJGM Design. Don is a mobilehome owner in Escondido. See page 14 for a brief article on his company. Thanks for your help Don.

These are exciting times for all of us. Over eleven thousand CoMO-CAL promotional brochures were mailed on March

4th and residents from around California are joining. It just shows that “if you build it, they will come.” Thank you and welcome.

Remember, we can't fight a war without an army. We are actively building that army by getting the word out that we are here for you. You are our eyes and ears. Don't just think of our newsletter as entertainment - we want to make a difference and the sky's the limit.

If you don't have an organized group in your park helping protect your rights, give us a call and we can give you some direction.

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CoMO-CAL Directory

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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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CoMO-CAL Legal Services - It REALLY WORKS! by Anna Nichols

As the majority of mobile home residents know, most of us continue to be intimidated and harassed by managers that serve the corporations who own many of our parks. My park owner, Kort and Scott, is a large Corporate owner that has many parks across the state. They tell us they can increase our space rent by as much as they want! Our space rent has increased much more than the CPI. Ultimately, our rents go UP, and maintenance goes DOWN!

I was recently the victim of terrible harassment by management at Knoll's Lodge, the mobile home park where I reside. After many years of having had latticework constructed around my front porch, I was suddenly given a 14-day notice to tear it down or management would do the work and charge me \$300.00. This was completely arbitrary, as I was given permission by management to have this work done and it is up to code. Management never said it needed repair -- just

tear it down! Corresponding with and talking to management was to NO avail, ultimately I went into a tailspin of depression, and yes, anger.

I found that most attorneys know little or nothing pertaining to mobilehome parks, and can offer sympathy but little else and still charge a tremendous amount for a consultation to find out nothing.

It was a great inspiration for me to learn about CoMO-CAL and its President Frank Wodley. They have a wealth of information on all of these problems. It is through CoMO-Cal that I learned of the "reduced fee legal services." I joined and then contacted their Attorney Jon Heim of Novato. He was extremely professional, prompt, and well informed. He read all the correspondence and reassured me that they could not do this.

After Mr. Heim wrote a letter to management, the harassment stopped and my porch is still in-

tact. So I want to thank Mr. Heim very much for his professionalism and prompt action. And his fee was very reasonable. I don't know what I would have done without his counsel.

I feel the more we are informed, the easier to find solutions. We cannot fight for our rights alone. I would urge everyone who is a mobilehome resident/owner to join CoMO-CAL and take advantage of their "reduced fee" legal services. They offer HOPE and so much more. Someone is there for us when we are in need.

Anna Nicols, Knoll's Lodge
Torrance, California



CoMO-CAL'S REDUCED FEE LEGAL SERVICES PROTOCOL

This program requires a membership in CoMO-CAL (\$20/year) – both current and in good standing. In addition a member must pay the "legal services at reduced rates" fee of \$25/year.

There is a **60 wating period** before the service may be used.

Attorney fees for legal services as follows:

\$75/half hour consultation

\$100/letter written by an attorney in member's behalf

\$35/legal question (not complicated- email preferred).

We reserve the right to choose the attorney. Of course our attorney will be versed in the Mobilehome Residency Law and other common issues encountered by mobilehome owners in rental parks.

All fees are to be paid directly to the attorney.

2010 PRIORITY MOBILEHOME BILLS from GSMOL UPDATE

SUPPORT

AB 1964 (Torres) - Referred to Assembly Housing; no Hearing Set; & SB 951 (Correa) - Senate Transportation and Housing March 23. Please get cards and letters into members of the committee in support of both bills. Description: The MPM program provides for the periodic inspection of mobilehome parks throughout California, targeting a full inspection of 5% of the parks each year. The program also established an advisory task force of homeowner, park owner and governmental representatives who meet periodically with HCD staff to monitor progress under the program. That statute creating that program is scheduled to “sunset” (meaning the program would cease to exist) at the end of this year. Both Assemblymember Torres and Correa have introduced bills to extend the sunset date by a number of years (AB 1964 extends it to January 1, 2019; SB 951 to January 1, 2017). In addition, the Correa bill would clarify that the format and content of the report HCD produces twice per year on the status of the program.

AB 1803 (Nava) -SUPPORT- No hearing set. Description: would establish an MRL mediation program, funded by a small fee paid equally by homeowners and park owners. The mediation program would be operated by the state Attorney General, and would provide homeowners a means of resolving disputes with parkowners. The bill is currently in spot form; the actual language will be added to the bill soon.

AB 1108 (Fuentes) -SUPPORT - Held in Senate Appropriations Committee. Likely Dead. Description: Would make various changes to requirements when electric or gas utilities are provided to mobilehome park residents and residential tenants through a master meter, including the following: (1) would allow the Public Utilities Commission to order repairs and maintenance of system; (2) Directs that the rate differential received by park owners be directed toward maintenance and repair; and (3) Would limit late fees on utility bills.

OPPOSE

AB 761 (Calderon) - OPPOSE - This bill is in the Senate Judiciary Committee. Not likely to be heard, if at all, before June. Description: Would impose vacancy de-control restrictions on local mobilehome rent control ordinances. Upon a sale or vacancy of a mobilehome, the space rent would be set by the park, at market rate (i.e., “vacancy decontrol”). The bill would destroy billions of dollars of homeowner equity.

AB 2120 (Silva) Mobilehome parks - Oppose - Set for hearing March 24 in Assembly Housing. Contact members of the Assembly Housing Committee to oppose. Description: Existing law requires the management of a mobilehome park to provide all homeowners with a copy of the Mobilehome Residency Law by February 1 of each year, if a significant change was made in those provisions by legislation enacted in the prior year. This bill would delete that requirement, meaning that existing homeowners would no longer receive a copy of the MRL from management.

AB 2439 (Nestande) Mobilehome parks. - Oppose - - WMA-sponsored measure. No hearing set. Description: Under existing law, a park owner must allow a homeowner to sublet his or her space-subject to certain conditions-if the person must be absent because of a medical emergency that is confirmed by a doctor. Among the conditions, a homeowner using this provision may not charge the sublessee more than an amount necessary to cover the cost of space rent, utilities, and scheduled loan payments on the mobilehome, if any. This bill would, additionally, allow (but not require) a park owner to authorize subletting in cases where there is not a medical emergency, and allow the resident to charge any rent they desire, but would end rent control on the space.

SB 1097 (Strickland) - Oppose - - WMA-sponsored measure. No hearing set. Description: Under existing law, parks with a sub-metered utility system are allowed to collect a portion of the fees charged to residents. This fee, sometimes referred to as the sub-metered discount, is collected by the park owner to compensate them for the cost of providing and maintaining adequate utility service. Existing law also creates a mechanism for park owners to voluntarily transfer their sub-metered systems to the utility. This bill would, among other things, allow parkowners to be compensated for the “value” of the sub-meter discount that the park owner would give up by transferring the system.



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CoMO-CAL URGES SENATORS: OPPOSE AB 761!

Mobilehome residents and tenants' rights advocates were shocked last year when the California Assembly passed a bill, AB 761 (Calderon, D-Whittier), that would severely cripple all of California's over 100 local mobile-home rent control laws. It 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 "liberal" Assembly democrats from the Los Angeles area.

The bill is now being considered by the California Senate. We need to stop it from being approved by the Senate in order to keep it from becoming law. CoMO-CAL urges every mobile-home resident who wants to save rent control to send letters, faxes, and phone calls to your Senator. We will keep you informed about the status of this bill.

-- What the bill would do:

AB 761 would mandate 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 their 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 homes.

-- What CoMO-CAL needs you to do:

We need to defeat this bill as soon as possible, and we need to let ALL our Senators know that mobilehome residents throughout the State are depending on them to oppose it.

Please put your name and address on a letter like the one below and send or fax it to your Senator. Please get other persons in your park to send similar letters. And please consider making a donation - large or small - to Co-MO-CAL so that we can continue to protect the rights of mobilehome residents throughout the State of California.

Frank Wodley, President

AB 761 - PLEASE OPPOSE

Dear Senator _____, Please vote NO on AB 761. One million Californians who live in mobile homes need your support. The state has a crisis of affordable housing, but AB 761 would remove rent protections from hundreds of mobile home parks all over the state. AB 761 will allow park owners to raise rents as high as they choose whenever a mobile home changes hands. It will wipe out our home equity. Mobile homes will no longer be affordable to most Californians.

We urge you to help preserve affordable housing. Please vote NO on AB 761.

Thank You,

Your Signature Here

2010 PRIORITY BILLS continued from page 4

NEUTRAL

(Spot bills are "placeholder" bills that will later be amended with more substance.)

AB 2029 (Cook) Mobilehomes: annual registration fee. Would exempt certain very low-income households from paying the HCD annual registration fee.

AB 2321 (Nava) Land use: subdivisions: mobilehome parks. - Spot Bill

SB 1047 (Correa) Property taxation: mobilehomes. - Spot Bill

THE ARROWS IN YOUR QUIVER by Attorney Jon Heim

Confronting Intimidation and Harassment by Park Management



As counsel to both mobilehome owners and mobilehome park owners, I see that some – not all or even most – park owners and managers occasionally harass or intimidate homeowners. Managers and residents alike recognize that the former have lawyers and money the latter usually lack. Some managers misapprehend that residents are unsophisticated and passive. Many homeowners feel vulnerable and believe that they must cave in to whatever management demands, however unlawful or unreasonable it may be. In fact though mobilehome owners have a quiver of legal rights they can assert and a cache of legal resources they can deploy to protect their key interests and promote harmonious living.

Naturally the most fundamental of these legal rights are those provided in the Mobilehome Residency Law (“MRL”), California Civil Code sections 798 through 799.11. A copy of the

MRL should be attached to or provided with your lease or rental agreement. Every mobilehome owner and every mobilehome park resident should read the MRL and be at least generally familiar with it. Granted the MRL is somewhat lengthy and, like many statutory schemes, can seem well-nigh unfathomable to laypersons. And it does not cure all ills from unduly aggressive or just plain bad park management. Nonetheless the MRL does give homeowners and residents several important rights. Among them are:

- The right to a written lease or rental agreement.
- The right to reject a long-term lease exempt from local rent control and to demand instead a short-term or even month-to-month rental agreement subject to rent control.
- Protection against arbitrary termination of tenancy – under the MRL a tenancy can be terminated only for specified grounds such as failure to pay rent, uncorrected or repeated violation of reasonable park rules and regulations, or conviction of certain specified crimes.
- The right to written, reasonable park rules and regulations.
- A voice in making, although not a right to veto, changes in park rules and regulations.

- Compliance by owners and managers with most park rules and regulations.
- A right to a meeting with management upon request.
- Freedom from intrusion into your mobilehome except in emergencies or after abandonment of it.
- The right to reasonable maintenance of common areas and trees in parks.
- The rights to peaceful assembly, free communication, and meeting with public officials and mobilehome advocates concerning mobilehome issues.
- Damages for and sometimes injunctions against violations of the MRL.
- Recovery of attorney fees and court costs in MRL actions you win (but also the prospect of paying your adversaries’ fees and costs if you lose).

Moreover the MRL is only one source of mobilehome owners’ legal rights. Other laws of general application protect you too. One of the most important of these is the covenant of quiet enjoyment. This law protects every tenant, including every mobilehome park resident, against substantial in-



THE ARROWS IN YOUR QUIVER continued from page 6

terference by his or her landlord of the tenant's quiet enjoyment and use of rented premises for the purposes contemplated by the tenancy. Violations of this covenant may consist of acts of the park owner or management, or their failure to take reasonable steps to prevent such interference by other tenants. However minor inconveniences and annoyances are not actionable breaches of this covenant. (See generally, Cal. Civ. Code, § 1927; *Andrews v. Mobile Aire Estates* (2005) 125 Cal.App.4th 578, 588-592.) In addition mobilehome owners enjoy the same rights against trespass, defamation, property damage and privacy invasion as other California residents.

Mobilehome owners have too the well-known and perhaps over-utilized remedy of restraining orders against unlawful harassment pursuant to California Code of Civil Procedure section 527.6. As common and expedient as this remedy may seem, it is available only against "unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose." (Cal. Code Civ. Proc., § 527.6, subd. (b), italics added.) "Legitimacy of purpose negates harassment." (*Byers v. Cathcart* (1997) 57 Cal.App.4th 805, 812.) Most management actions, even if erroneous, un-

justified or harsh, may be seen by courts to have some legitimate purpose and therefore to afford no basis for anti-harassment orders. However such orders may be available and effective against neighbors whose conduct clearly falls within the foregoing description.

Back to this article's beginning. I can imagine you thinking, "That's all well and good Jon, but what can I really, practically do? I have more park problems than surplus funds. How can I address and resolve my problems without piling up more attorney fees than I can ever pay? And who can I trust to focus on my problems rather than his or her fees?" CoMO-CAL understands. I understand. I often tell my clients that I can't afford myself, at least at my regular hourly rate.

Well, CoMO-CAL and other worthy mobilehome owner associations exist to help you, to redress at least some of the imbalance between park management and park residents in financial resources and information access, to urge you forward when you are in the right and to conserve your money and limit your frustration when you may not be. And CoMO-CAL, with a little help from me, has designed a program to get legal information, guidance and assistance to you without blowing your rent and grocery money. You'll get the details in this and other issues of *The Voice*.

To be sure I don't pretend to be the only attorney willing or able to assist you. I am just one ardent

advocate for mobilehome owners who are reasonable and practical, but aggrieved by unlawful or overzealous management action. Whether you're directed to me or to another lawyer working with CoMO-CAL, you can rest assured that your problem will be addressed in a pragmatic fashion, at reasonable cost and with your best interests at heart.

So you have some good law. Maybe not everything you might desire, but a good measure. As well you have a knowledgeable, vigorous association with ties to lawyers and other professionals who stand ready, capable and eager to listen to you and to help you. You should not be intimidated. You need not worry if only you will take the action of contacting us. If you need us, we are here, we know what we're doing and we really want to hear from you.

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Join our "reduced fee legal services program" for \$25/year and you can call Jon when you need an answer to a question, a letter, or just a phone consultation.

“Due Diligence” & The Financing of Resident Park Purchases by David Loop



Lately, a good idea seems to be spreading around California’s mobilehome parks. That idea is... mobilehome park resident groups can buy the parks where they live. I recently helped

with the legal aspects of two successful resident park purchases in the Santa Cruz area. Since then, leaders in parks from around the state have contacted me. They all ask the same question: “How can we buy our park?” The benefits of resident park ownership are clear to them, but how to achieve it is not.

My answer is... to make a proper attempt to buy the park where you live, you need to Get Organized. Also, you must perform “due diligence” regarding the financial aspects of the purchase. I’ll cover the topic of “Getting Organized” in a future article. Today, I’d like to discuss Due Diligence. This is the process of gathering information about anyone who tells you, “I can arrange the financing for your park purchase.”

Resident leaders need to understand that acquisition of a mobilehome park is a significant business decision for all of the park’s homeowners. Unless your park is very small, millions of dollars are at stake. Finding money to cover most of the cost of the park and the purchase transaction is absolutely necessary. If you don’t find it, your group will never own the park.

Your chance of owning the park improves greatly if you hire an experienced “park purchase financial consultant.” In California, there are various financial consultants who offer this specialized service. It is not likely that you will find a suitable consultant in a bank, mortgage loan company or public agency, however.

As leaders, you need to ask important business questions of anyone who offers to help you find financ-

ing to buy the park. You need to investigate these consultants to determine if they can “do what they say.” You cannot take any consultant at “face value.” Questioning and investigating a consultant is called “due diligence.” As a resident leader, you owe a responsibility to every homeowner in the park to do this.

Beware of consultants who say: “sign my contract... don’t worry - I’ll handle everything.” Beware, as well, of consultants who are vague about where the park purchase money will come from. The consultant needs to prove to you, before you hire them, that they have had substantial past success in getting mortgage financing for resident associations. They should be happy to reveal their financing sources to you.

I am frequently amazed how resident leaders in some parks hire a park purchase consultant without doing any due diligence. They ask no “business questions.” They don’t bother to investigate the consultant’s professional background (though it’s easy to do). Instead, they simply believe everything the consultant says – often to their great regret. Remember, your group will probably have one chance to find financing to buy the park. If you don’t succeed on your “first try,” it’s unlikely that the park owner will give you a second chance. It’s essential to get it right the “first time.”

After their attempt to buy the park failed, some resident groups have discovered the consultant actually had no chance of putting together the required financial package. The resident group’s opportunity to buy the park was lost. This unhappy ending might have been avoided by asking the right questions early on - and before hiring that financial consultant.

A “park purchase” consultant should be hired only if they can give satisfactory and verifiable answers to “business” questions, and after the resident group has thoroughly investigated their business history and practices.

Here are some important questions you should ask any consultant who wants to help with your resident



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“Due Diligence” (continued from page 8)

park purchase. Do not accept vague or incomplete answers to these questions:

-- How long have you been a “park purchase consultant” to mobilehome park resident groups?

-- How many parks have you helped convert to resident ownership?

-- Who owned these parks at the completion of the purchase? Were they owned by the residents themselves, or by some “outside” corporation?

-- Where are these parks? Please name them, so that we can contact residents there to learn how things have worked out.

-- When was your most recent park purchase completed? (Deals the consultant is trying to complete at the moment don't count). Describe generally how mortgage financing was accomplished for that transaction. (If the consultant has not completed a deal lately, they may have problems arranging a mortgage loan in the current market).

-- Show us the specifics of how our park purchase would be financed. How much will need to be borrowed? Where will that money come from? Will it come from “private” or “public” sources? How much money would come from each source? Have you successfully arranged mortgage loans from these sources before? Give us some specific examples.

“Can you provide us with “expression of interest” letters from the lenders who would potentially finance our park purchase?”

Resident leaders should insist that before hiring him or her, the consultant produces accounting spreadsheets showing how the deal would work. You have a right to know - and need to understand - this information. The consultant should be ready to explain “purchase financing” for your park in detail. At the very least, the spreadsheets should include:

-- The price to be paid for the park (and an explanation of how the price was calculated);

-- Source(s), amounts, estimated interest rates and terms for mortgage financing;

-- Minimum number of residents who need to participate for the purchase to succeed;

-- Amount each household would pay as a “down payment” (if any);

-- Any financing plans available for a resident’s “down payment;”

-- Total amount of equity required from the resident group;

-- Estimated new monthly “rent” payment for households that participate in the park purchase;

-- Estimated new monthly “rent” payment for those households that don't participate in the park purchase;

-- Income and Expense schedule for park operations after the residents own it;

-- Amount of cash reserves the residents will have for repairs, emergencies, etc. after they own the park;

-- Closing costs for the transaction, including all fees or commissions to be paid.

Let me emphasize - the park's resident leaders and homeowners deserve this detailed financial information before signing any contract with the consultant. After all, YOU are the folks that will be paying for the park!

You need to be informed consumers when you attempt to buy your park. Early in the purchase process, you must ask the right questions and do some investigation. As resident leaders, “due diligence” is not optional. It is part of your job.

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

First published in THE VOICE May 2007

What is a condo-conversion and why does it matter? by SE Hoaby

If you have heard any of the news the last few years, and particularly in 2009, regarding California mobile-home parks and the political battles over rent control, then you have probably heard about condo-conversions. If you are like many of us, however, you find the terminology of ‘condo-conversion’ confusing (in the context of a mobilehome park) and you may not understand why this is important to you, the mobilehome owner. The purpose of this brief article is to explain what it is, and why it matters.

The term ‘condo-conversion’ is confusing perhaps because it uses the terminology of something that we are already familiar with. We are familiar with the word ‘condominium’, which means basically an apartment that one has purchased. Mobilehomes, however, are not apartments so what is the connection?

It is easiest to understand the term ‘condo-conversion,’ when applied to mobilehome parks, by taking it from the perspective of the mobilehome park owner, rather than the mobilehome owner. From the park owner’s standpoint, a typical park of mobilehomes is like a big spread out apartment. Like an apartment owner, a park owner rents space and is responsible for the taxes on the real estate, the infrastructure (water, gas, electricity), and various amenities (laundry facilities, a meeting room, etc.) In simple terms, when a park owner sells a space as a piece of real estate that formerly was being rented, this is a condo-conversion for that space. As with one who purchases a condominium, mobilehome owners who have purchased their space will then pay association fees to pay for upkeep of their share of the roads, park lighting, laundry facilities, and so on.

Of course, the conversion is more complicated than the simple description above. A park owner must first subdivide the mobile home park so that each mobilehome space and the common areas are clearly defined. The park owner must also set up a homeowner’s association, which will manage the park’s common areas. When a person buys their space, they take title to the space (that was carefully defined by the subdivision), and they buy a share of the common areas. The price a mobilehome owner pays is negotiable – at least in theory – but oftentimes in practice is set by the park owner. Commonly in a condo-conversion, the park owner offers to sell spaces at a set price and if the mobile home owner refuses to buy at that price, he or she will continue to rent (and, incur rent increases). As for the homeowner’s association, its board is typically staffed by two groups of people – those representing the park owner, and those representing the people who own mobile home spaces. Renters are not represented. Usually, the proportion of mobilehome spaces owned by mobilehome owners and their proportion of board seats is similar in magnitude.

The specifics of condo-conversions for mobilehome parks is determined to a large extent by what is permissible (or required) under city ordinances and California statutes. The above descriptions should apply for most situations across California.

Why do Condo-Conversions matter?

Why are condo-conversions important? There is nothing inherently bad or deleterious about a mobilehome park converting from one where mobilehome owners rent their space, to one where mobilehome owners own their space. Usually in the case where more than half of a park has been converted – and has a majority of the board seats so has become a resident owned park - and the mobilehome owners were able to purchase their spaces at reasonable and fair

Condo Conversions - continued from page 10

prices, the outcome has been highly advantageous to the mobilehome owners. The mobilehome owners are able to maintain equity in their homes, and can invest in their community for their own good. Their investments in their homes and in their park raise their property values and their quality of life.

But there is a way in which condo-conversions are being used by park owners to harm mobilehome owners who reside in a rent-control area. This is the context in which 'condo-conversions' are typically mentioned in news letters such as this one. Park owners often chafe at rent control because it limits the year-to-year revenue increases that they can derive from the park. Because of ambiguities in California state laws – specifically in CA Govt Code 66427.5 – park owners have able to circumvent local rent control ordinances through condo-conversions. To distinguish this kind of condo-conversion from those that are benign or are beneficial to mobile home owners, they are called a sham-conversions. In short it works like this: if the park owner subdivides their park, and then sells even one space to a mobilehome owner - that is, does a condo-conversion on even one space - then rent control for the entire mobilehome park is negated (except for low-income residents as defined by California statute).

The current California statutes in this situation do not permit unrestricted rent increases immediately, but it opens the door for them over the long term. The first few years, the park owner can raise rent to a maximum of 20% per year, which for practical purposes is unrestricted. After the statutory time, all restrictions are erased.

The danger of excessive rent increases to mobilehome owners, as most of you know, is that it causes a loss of equity in one's mobilehome. Put differently, rent increases that are above the consumer price index (cpi) cause a transfer of equity (in a mobilehome) from you, the mobilehome owner, to the park owner. If the rent is high enough – say above the price of

renting a comparably-sized local apartment – the mobilehome will be worth zero, making it basically impossible to sell it.

Park owners utilizing sham-conversions – condo-conversions solely for the purpose of getting around rent-

control – is not mere theory. Various park owners in California have done this in their parks, or are trying to do it as you read this. Examples include parks in El Dorado and Carson in southern California, and in Soquel and Santa Cruz in northern California.

Over the next couple of years, you will likely see more articles in the newspapers and in this newsletter about condo-conversions. Most of the news will be about the harmful form of condo-conversions. You are also likely to read about legislative proposals in Sacramento that will remove the ambiguities in California state laws that currently permit park owners to eviscerate local rent ordinances through condo-conversions. I hope that this article helps you understand, in a basic sense, what condo-conversions are and what is at stake for you, so that you can better understand the discussion and why it is important. Furthermore, I would encourage you to get involved. To help ourselves and protect ourselves, we need to help each other, and work together.

Editor's Note:

SE Hoaby is a resident of Gardena Villas in Gardena. Scott may be reached at hoabyscotte@juno.com or 310-439-1636.



MANAGEMENT STRATEGY IN YOUR PARK

Don't kid yourself, you and I live on the front lines of a WAR. It may not be fought with guns, tanks, aircraft, or bombs, but it is real none the less. As a consequence of their actions, we are not organized, we are intimidated and afraid. Some of our neighbors spy on us. We are given misleading and false information—like you can't sell your home because it is older. This is an injustice to all of us! And it costs us all.

Why? Because of GREED! These parks do not want anyone to challenge their "business." We feel much of the time it is "monkey business!"

We have compiled a list of do's and don'ts we feel some managers and owners follow:

Don't let residents communicate, keep them in the dark. Don't have "park mail tubes, or if you do tell residents the tubes are for "park" use only, not for residents to use. They certainly are not to be used for literature questioning or being negative about the park or management, or telling residents about their rights as mobilehome owners.

Don't let residents get organized because they might learn the truth and might challenge us. Don't make the clubhouse readily available; otherwise residents can use it for meetings. If they have meetings, be sure to send a "toadie" to spy and report back to management. If possible, create a "scene" and hope the leaders react with anger—this will turn off residents and usually ends this type of gathering.

Don't let residents belong to advocacy organizations. Tell them "That organization hasn't done anything for residents. Why waste your money on GSMOL or CoMO-CAL? They are just troublemakers! Tell residents you're their friend...."

Do challenge the leaders of advocacy groups. Do not ignore resident leaders. Deal with them. If necessary, make up situations and take them to court to evict them. Defame their character. Tell new residents not to associate with them. Harass them.

Do divide and conquer when residents organize.

Send residents who are pro-management to their meetings to spy. Try to disrupt meetings.

Do have them report back to management on resident meetings.

Do use your "pro-management residents (toadies)." Have them write letters saying what a terrific park it is, what a terrific job management is doing, and how terrific the owner is.

Do ad lib when you have to. Cite the MRL as much as possible to make it appear as if you are just following the law. But leave out sections that do not support our goals.

Do threaten residents. Tell them their "senior" park will be converted into an all age park if they don't cooperate with management. Tell them you will evict them...

Do send a threatening letter from the park attorney indicating that if they don't comply with a Rule or Regulation, we WILL give them a 60 day notice to evict them. And it will cost them thousands of dollars.

Do cajole residents into believing management is their best friend

Do give money for a Christmas Party, 4th of July BBQ, and St. Pat's Day celebration

Do have parties for the kiddies

Do keep up the park landscaping—it is not expensive- and it is the "honey" to draw unsuspecting buyers into the park for the new homes you are selling.

Do have a strategy to defend an "attack" by residents. Say this is only a small group of residents and they don't represent the majority in the park. Say most residents are very happy living in the park. Again use your "toadies" for support.

Do say this about residents who complain: They are "troublemakers". They are the ones who violate the rules. They are poor neighbors. They have character flaws. Don't associate with them.

Don't reply to residents letters. Resident's letters



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DON'T BE A VICTIM / DON'T ALLOW YOURSELF TO BE SCAMMED

From the President: It saddens me to hear what mobile home owners are being told - all in the interest of personal greed. A member called one evening asking about copper wiring - someone was telling her before she sold she would have to replace all aluminum wiring with copper. Please, please read on. Don't allow yourself to be scammed. Unscrupulous people are taking advantage of those who are weak and defenseless in our parks. Let's all get the word out and help protect our friends and neighbors.

- Many people try to make money off you. CoMO-CAL is NOT one of them.
- You are a member of CoMO-CAL. Let us protect you. You can trust us!!! We have NOTHING to gain by telling you anything but the truth.
- Do not trust what those people say. They may not be telling you the truth because they can make money by lying to you. CoMO-CAL is your friend - CoMO-CAL is your family. Consult with us before you believe anything a handyman, contractor, manager, or owner tells you. If we don't have an answer, we can consult with our attorneys.
- When you sell your home, you DO NOT have to bring it up to "code." HCD will do an inspection - the inspection involves only exterior items - like steps, porches, railings, extension chords...anything that is a HEALTH AND SAFETY item may have to be re-

paired—they give you 30 days. Neither HCD or the park can inspect inside your home.

- When you sell your home, you DO NOT have to replace all aluminum wiring with copper wiring.
- When you sell your home, you DO NOT have to install all copper plumbing.
- When you sell your home, the park CAN NOT require new siding, a new roof, a new porch, etc. just because their Rules and Regulations require this for incoming homes. These rules do not apply to homes already in the park.
- Educate yourself. Be aware. Question, question. Do not believe all you read or hear.
- Park managers (usually) are not your friends. Many make additional money by telling you to use only a certain Real Estate Agent or handyman. Many make money when they convince you that you must move your older home. Many make money by harassing and intimidating you so you eventually leave the park. That's what many owners want!
- We talk of protecting your investment and your way of life. We can help, but ultimately you are the one with the responsibility. We are here to answer your questions. Do not hesitate to call us. It helps all of us when you take care of yourself. Don't be a victim

continued from page 12: Do's and Don'ts

about problems, letters trying to rebut a 7 day notice, etc. If you give someone a notice and they reply, just ignore it.

Do harass residents.

Do use the "e" word (eviction): "If you don't stop..., I'll evict you."

Do keep residents in line with a 7 day notice and a threatening 60 day notice.

Do use the MRL to your advantage. Underline the section that applies and let the resident read it. Misquote the MRL, leaving out sections adverse to our

goals

Do upgrade the park. Get those older mobilehome out. We will reap the benefits!

Do use the park attorney when necessary.

This war is a psychological war, perhaps far worse than a real war. And there are unseen casualties, people are getting sick, and probably even dying as a consequence. It is difficult to see. One must know what to look for and be observant. It is resident versus park owner and manager. What drives this war? Money and greed. THIS NEEDS TO STOP!

A VISIT TO KNOLL'S LODGE AND KNOLL'S MANOR

by Frank Wodley, CoMO-CAL President

Recently I visited the folks at Knoll's Lodge and Knoll's Manor in Torrance. We have written about Knoll's Lodge before. In fact Leo Lewis wrote an article for us back in 2007. Leo was a "mover and shaker" and took his park

owner Kort and Scott to court and won, but he has moved out of the park.

I want to thank Anna Nichols and Lillian Harrison for their hard work putting our meetings together. The meetings were well attended and I met many active folks, including Paul Masminster from Royal Western, Benjamin Goldman of Knoll's Manor, Philip Shelton from Knolls Lodge, and many others. There is NO RENT CONTROL in Torrance and the

city council has vowed there will never be. The park owner for THE Knoll's, Kort and Scott, obviously do not care about their residents, they only care about their bottom line. As a consequence, rents in these two parks are at high as \$1200/month, yet they are far from five star parks. They have serious parking issues as well as the usual manager problems. This, together with the "run down" look of the parks, means residents investments are essentially worthless. It is a sad scenario.



Website Design: DJGM Design

DJGM Design is a San Diego based company that offers web design and hosting, email marketing, graphic design and printing services to small medium sized companies. We work with companies all over the United States, handling projects as small as consulting on design features, to full-scale projects including web design and hosting, business identity design and printing services like business cards, stationery and marketing materials.

We use all available means of technology to work with our clients, including email, web conferencing and on-line access to the progress of their project. Distance is never an obstacle in offering our services; we make ourselves available to our clients for questions and concerns.

We are happy to be working with CoMo-CAL and assist in the redesign of their website. In addition, we have a varied group of clients ranging from pro-

fessional groups to non-profit organizations.

If you, or your company, are in the market to create or recreate your business identity or image, please consider speaking with us prior to making a final selection and allow us to show you what we can do. Budget considerations are always kept in mind and there will never be a surprise at the end of the project.

Visit our website: <http://www.djgmdesign.com> or contact us at info@djgmdesign.com. Don Greene

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THE VOICE March/April 2010

CoMO-CAL THIS AND THAT

THE VOICE: You probably notice we have changed the format of THE VOICE. Now there is a table of contents, we have the ability to add photos, and we hope you will be able to get more information from it, in a shorter time. (To accomplish these changes, Frank Wodley is learning graphic design – Adobe CS4 – which some say takes years to learn.)

NEW PROMOTIONAL BROCHURES: We have just rede-

signed a new promotional brochure and have mailed over 11,000 to the following cities: Camarillo, Chino, Chula Vista, Colton, Concord, Fremont, Glendora, Los Gatos, Malibu, Merced, Milpitas, Morgan Hill, Oxnard, Petaluma, Riverside, San Jose, San Marcos, Santa Clarita, Santa Cruz, Santa Rosa, Sebastopol, Simi Valley, Vallejo, and Ventura. We are grateful for the \$4,000 from a HOA which allowed us to make this mailing. Our goal is UNITY. We want to let folks in these cities know that they are NOT ALONE, and that help

is just as close as their phone, mail box or computer.

DONATIONS: Our goal is to reach as many mobilehome owners in the state as possible. For each \$1 donation, we can reach 4-5 folks. All it takes is \$50 to mail 200 brochures (bulk mail has a minimum of 200 pieces). No other advocacy group is doing this. So please send us a donation for “UNITY” and we will use it to tell others around the state about 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: _____ Mngt/Owner _____ SPACE #: _____

MAILING ADDRESS: _____ CITY _____

E-MAIL ADDRESS: _____ ZIP _____

APPLICANTS PHONE NUMBER (____) - _____ - _____

SIGNATURE OF APPLICANT _____ SPONSOR (if any) _____

Check/M.O. # _____ Amount: \$ _____ Donation() Amount: \$ _____

MEMBERSHIP (\$20.00/12 Months, \$38/24 Months, \$54/36 Months) All Membership includes our newsletter
LEGAL SERVICES (Reduced Cost Attorney) \$25/12 months - please call, write or email regarding details.
Our newsletter (THE VOICE) - 6 or more issues (Non-members only) \$12/12 months

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CoMO-CAL is a non-profit corporation dedicated to serve mobilehome owners here in California. Our purpose is **education, communication** and to **unite** mobilehome owners.

Don't "go it" alone. We serve all 700,000 residents living in the 4,800 mobilehome parks across California. We must "stick together."

SERVICES WE PROVIDE OUR MEMBERS

1. At least 6 issues of THE VOICE. Usually 16-20 pages long, filled with information no mobilehome owner should be without. Articles from attorneys on important issues. Tips and Suggestions. Important laws explained. What you need to do to protect yourself and your investment.
2. We offer "reduced rate" legal services with an attorney versed in the MRL and other mobilehome laws. See inside this issue for info.
3. Website: comocal.org. Members have access to all issues of THE VOICE, attorneys who know the MRL, important links to government, advocacy groups, etc.
4. Small Claims Court Assistance: We will pay your fees up to \$30.00 and help with your paperwork. (Some restrictions apply.)
5. Questions / Problems: Our staff is ready to take your call to advise you regarding questions and problems you might have.
6. We have several attorneys we refer members for help with litigation or advice. Unfortunately your dime.
7. Above all, a way to **UNITE** and have a **VOICE**.
8. Ultimately, we give home owners hope that someone is working for their interest.

JOIN CoMO-CAL. DO IT FOR YOUR PEACE OF MIND