

The Coalition of Mobilehome Owners

MH *Life*

Advocates for Mobilehome Owners

SAN DIEGO

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VOLUME 4 NUMBER 1

**THE #1 SOURCE OF INFORMATION FOR
MANUFACTURED/MOBILEHOME OWNERS
IN CALIFORNIA**



Why Change Is Important?

A strong state-wide advocate for MH owners is critical. Without a state-wide group there is nothing to “hold” other groups together, i.e. a state-wide group is the glue in Strength in Numbers. A state-wide group can represent MH owners in Sacramento, both by providing new legislation favorable to the MH Community and by preventing legislation that would hurt us. A strong state-wide group can begin resolving decades old problems (management issues, interference of sales...).

We have identified many problems with our present system of advocacy. For example:

- It gives too much power to a few (less than 10), resulting in corruption. It promotes greed.
- Leaders “serve” themselves, rather than serving those they pledged to serve.
- There is no representation for individual MH owners,
- The huge overhead saps resources that could go to help MH owners.
- The current system leads to divisiveness, deception, lack of transparency, erosion of ethics, an unfair and corrupt election system, deceit, lying and a lack of teamwork, networking, sharing, and brainstorming.

LET’S MAKE SOME NECESSARY CHANGES

Do you want to continue to support advocates who make the same mistakes? We hope not. We have provided a path that fixes every issue we mention above and we guarantee it will work. That path is the Regional Group Plan (The Plan or the Unity Plan). It divides the power, it provides representation for all MH owners, eliminates overhead, divisiveness, and gets advocates working together, ethically, efficiently and effectively.

SUPPORTING AN IDEA

If you believe in UNITY, you will support The Plan. If you believe in teamwork, networking, sharing, and brainstorming solutions to problems, you will support The Plan. If you believe in Strength in Numbers, you will support The Plan. If you believe Knowledge is Power, you will support The Plan. And if you are convinced Change is critical, you will support The Plan.

A MOVEMENT TOWARD CHANGE

Don’t get hung up on names, personalities or what ever. This is about The Plan. It is about an idea, a philosophy, and a pledge and a path to finally get advocates working together in harmony!

WHY COMO-CAL?

In fact any organization could be used to make The Plan a reality, as long as it represents the change we are promoting. It just so happens that COMO-CAL is available and is an

established non-profit. COMO-CAL is a means to an end (UNITY and everyone working together), rather than an end in itself. It’s present Board of Directors is essentially making the non-profit available to those who support The Plan.

COMO-CAL ITSELF WILL CHANGE

The make up of COMO-CAL will change as it grows, i.e. as regional groups are added (COMO-Los Angeles, COMO-San Diego, etc). New COMO-CAL leaders will be chosen from regional group leaders, as regional groups are formed. That means every regional group will be represented in the state-wide group (COMO-CAL).

THE DIFFERENCE

So what’s the difference between advocate leaders today and The Plan leaders. It is simple. The Plan leaders will be required to take a Pledge (first published December 2014, page 7).

THE PLEDGE

The Pledge is the key to the Unity Plan. If every advocate and every advocacy group would sign and abide by it, this would be a red letter day for MH owners. Here is the Pledge:

1. Pledge to be open and transparent.
2. Pledge to publish financial and membership reports at least twice a year.
3. Pledge to have at least quarterly meetings. Meetings may be via the internet if necessary.
4. Pledge to work, share, network, brainstorm and communicate with all others in our state-wide community.
5. Pledge to be responsive, i.e. respond within 24 hours to emails, or phone calls, and within 7 days to letters.
6. Pledge to be accountable for their actions.
7. Pledge to support the new Unity Plan and support the new state-wide group.

WHAT CAN YOU DO TO SUPPORT THE PLAN?

That’s simple. The Plan will only succeed if and when MH owners and residents support it.

- One way is to Speak Up! Send us an endorsement, tell us why you believe in The Plan. Tell us you will support any advocate that takes The Pledge. Send a donation. We guarantee 100% will go to promoting The Plan and serving you.
- Volunteer to help lead a regional group or start a mobilehome residents association.
- Join COMO-CAL & receive all the benefits we offer!



Happy New Year! We at COMO-CAL and MH Life Magazine are looking forward to a very productive year in 2016. As promised, we are beginning with our pledge to start addressing several problems which have plagued MH owners for decades. One is Management Problems and Retaliation.

But first, we must promote a necessary change. We want advocates working together. Please read Why Change is Important? on page 2. We know you want change as much as we do, so we ask for your support. A first step, whether an individual or a resident group, is to align with COMO-CAL. It only makes sense. Resident associations in themselves are terrific, especially when they have the right leadership and when they really address problems. But one resident association is just that, one association. By aligning with COMO-CAL, it becomes part of a state-wide network like no other. A community that believes in transparency, ethics, and teamwork. There is no other path to Unity that we know.

In 2009, COMO-CAL met with a group of residents in Rowland Heights. Just recently we learned they have organized as a pro-resident group (MRA1441), under the leadership of Ken Meng, and have made considerable progress. We are honored to be working with them and to receive their endorsement (see page 4).

This month Sam Meng, son of MRA President Ken Meng, writes about some of their struggles and successes (page 6). Take a look at the photos on page 7! These folks are really united and they are NOT afraid to stand up for their rights. Congratulations! That's really what it takes to make positive changes in a park.

If you have issues in your park and have no pro-residents group, please contact us and we are happy to help organize your park. COMO-CAL is there to support you, but ultimately You must solve your own problems.

Retaliation occurs not just in California but around the country. The article on pages 8-9 is from an Organizing Manual published by the Minnesota group All Parks Alliance for Change. We thank them for their insight.

The Senate Select Committee on Manufactured Home Communities has held two Hearings on Management Problems, the first one in 1982, and the second in 2004. Unfortunately no one is working to resolve the problems so many have testified about. Who is minding the store? The answer: NO ONE. So if you are interested in helping out, please let us know. We are determined to begin finding solutions to this serious problem.

Finally, we publish MH Life Magazine to inform and educate. But we are much more than a magazine. COMO-CAL is your state-wide organization. For the people, by the people. It accomplishes much and is genuinely interested in assisting MH owners. We ask for your support. **Happy New Year. May you be blessed in 2016.**

The Staff of MH Life Magazine

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Resident Association Endorses COMO-CAL



Manufactured-Home Residents Association MRA1441 (Ken Meng Left of American Flag)

I am the founder and president of the 1441 Manufactured-Home Residents Association (MRA1441), which was formed to serve residents and improve our community. Our family moved into Rowland Heights Mobile Estates in July, 2012, after our home was foreclosed in 2011. By the time we moved in, we found residents were being discriminated against and oppressed by park management, and many of the elderly were complaining that living at Rowland Heights ME was like living in a jail.

In early 2013, MRA1441 was created. In May, we organized a protest, and at the end of the year, after much research and hard work, organized a meeting with the park owner. We represented over 175 residents. As a result, the park owner finally decided to replace their abusive management, did not raise the rent on residents for one year, fixed the roads, extended clubhouse hours, and made other improvements. By organizing residents, we overcame retaliation and profoundly learned that when vulnerable residents unite, they become powerful and are then able to protect their rights.



**Frank Wodley & Ken Meng
at Frank's home in Chatsworth**

Residents in one park can only do so much, so we began reaching out to other mobilehome organizations. Although we did not receive effective help from GSMOL, we did connect with COMO-CAL after reading a copy of MH Life Magazine. We appreciated the Magazine for courageously standing up for residents, and pointing out problems in California mobilehome parks. Through much contact with Frank Wodley, we found him to be honest, enthusiastic, hard working, he disregards personal gains, and is a person who strives to do his best. At one time he was a manager with GSMOL, however he was concerned about the lack of enforcement and the direction of the organization. Therefore in 2004 he decided to form COMO-CAL and MH Life Magazine. The Magazine is the only publication telling the truth about advocacy and issues found in mobilehome parks. We clearly recognize that Frank Wodley's efforts and selfless dedication are due only because of his desire to help a vulnerable group of residents receive just treatment.

COMO-CAL's Regional Plan effectively helps residents, but only if residents support it. Individual park associations are the foundation of the Regional Plan. This organization motivates residents to stand up, through unity, to resolve specific problems found in their community. The Regional Plan also provides important resources: a legal fund to provide legal assistance and a Magazine to educate and inform. The "organization" fundamentally differs from that of GSMOL. If residents embrace this plan, we predict residents will have a tremendously effective tool for dealing with park owners and park managers.

As with MRA, COMO-CAL encourages residents of mobilehome parks to establish their own community resident organizations instead of only depending on protection by another organization or government agency. Similar to unions, it is the only way to protect a vulnerable group like the mobile home residents in California. By putting local residents in positions of power and providing transparency to the group, only people with a true desire to help their fellow mobilehome residents will join in the leadership of COMO-CAL as it provides no other incentive.

After reading this endorsement, I encourage you to organize at least a few residents in your park and join COMO-CAL. Even if it is only you for now, COMO-CAL can help inform and educate you and help you organize. You can adopt a name like Manufactured-Home Residents Association for your new group, i.e. a group that promotes the general welfare of residents in your park. And you can make it specific to your park by adopting your parks address, as the Rowland Heights group did (1441).

MRA1441 endorses COMO-CAL. California residents should organize and unite through COMO-CAL for the welfare of their future generations and the future of mobilehome residents. Even if you are a GSMOL member or officer, we suggest you embrace the Regional Plan if your true desire is to serve and help residents. The Plan means resources stay in regions where they will do the most good, and gets everyone working together, effectively and efficiently. It provides for Strength in Numbers!

--Ken Meng, President, 1441 Manufactured-Home Residents Association (MRA1441), Rowland Heights, CA. 133@mra1441.org. (626) 581-6580

Editor's Note: *I'm thrilled to be working with Ken Meng and MRA1441. Through much adversity (these folks are mainly Chinese speaking and are not fluent in English), they have accomplished so much. If you have a computer I suggest you visit their website (<http://mra1441.org>).*

Photos can be accessed at <https://www.flickr.com/photos/110013505@N07/>. Each has is a wealth of information including letters from the park attorney and the unlawful detainer action.

Next month we will publish more of their story, their demonstrations, confrontations with management, the lawsuit to evict Ken Meng, and how his 17 year old son Sam was instrumental in helping them win the lawsuit. Their determination and perseverance are to be commended. Congratulations Ken Meng, his family, and their residents association MRA1441!

Management Strategies in Parks

As a mobilehome owner in a rental park, you know full well that you face many challenges. Parks often are sold, bringing owners who are less “resident” orientated than profit orientated. Parks often change Rules and Regulations. Some parks have abusive managers, interfere with sales, give lots of notices, etc. Other parks do not maintain the common areas and may have utility issues. There can be parking, tree, driveway, lot line and fence problems.

SOME MANAGEMENT STRATEGIES

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 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 kids.

Do keep up the park landscaping—it is not expensive.

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 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 mobilehomes out. We will reap the benefits!

Do use the park attorney when necessary.

Do divide and conquer when residents organize. Send residents who are pro-management to their meetings to spy and try to disrupt meetings.

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!

SEND US ADDITIONAL DO'S & DON'TS THAT YOU EXPERIENCE IN YOUR PARK

**KEEP RESIDENTS
IN LINE!
KEEP THEM AFRAID**



Retalitory Eviction in Rowland Heights by Sam Meng

My name is Sam Meng and I'm the 19 year old son of Ken Meng, the President of our resident group Manufactured-Home Residents Association (MRA1441). This is just the beginning of a series of articles I will do for MH Life Magazine to show what our family has experienced in fighting the park's retaliation.

Retaliation by a park management is a very real issue today. It is a tool used by some parks to control residents, causing residents to fear management. Most park residents, even if they never have experienced retaliation themselves, are still affected by it, being inhibited from standing up for their rights. This is just another reason why residents are so vulnerable. The laws must be made strong enough to stop park retaliation.

In our case, the park retaliated against our family because we were the ones who founded MRA1441. They retaliated by serving us with an Unlawful Detainer action which meant, if successful, the park could evict us. Upon retrospect, we found that the park had trapped us, i.e. events leading up to the notice provided them with enough evidence to support our eviction according to the letter of the law. However, with the support of residents, pure determination, and a judge who could see through the park's tactics, we were able to overcome the eviction. In the process, we found the Mobilehome Residency Law (MRL) to be broken

The day before the MRA1441 was officially organized, our family received the first 7 day notice, listing many "violations" and stating that if we don't correct them, the park will terminate tenancy. This 7 day notice was obviously done in retaliation for our actions. Their goal was to restrict us from using the clubhouse for residents' meetings, and stated that my dad Ken Meng, the president of the MRA1441, is not a resident and has to leave the park, i.e. cut off the head of the dragon. This would have probably been enough to scare most people but we then researched the law and found that residents have the right to use the clubhouse for certain purposes (Civil Code section

798.51) and there was no lawful reason why the park would be able to forcibly remove the head of a family just because of a technical issue.

We responded to these blatant issues, and also to the other "violations" they alleged we had done. Instead of sending us a letter indicating they were ready to cooperate, they sent another 7 day notice, though this time, without the blatant issues even though we still have constant meetings in the clubhouse and my dad still live in our home. We responded to that notice, and to the third and fourth ones, which are almost verbatim to the second notice. According to law, one 7 day notice would have been enough to terminate tenancy, if in fact the resident is in violation; however the Park did not send us a 60 day notice to terminate tenancy until the day before our planned protest. It shows that 1) the park is not confident that they would win on the claims, 2) the park showed a total lack of cooperation with us; thus showing its bad faith, and 3) the park's actions were done in retaliation for what we were doing.

This intimidation that the park did was not enough to overcome the MRA1441. Instead of hiding in fear, residents stood up. Even though management interrupted residents' meetings by closing the clubhouse and taking pictures of residents, residents continued to come to the meetings. Even with the summary nature of the Unlawful Detainer and the distance from home, many residents joined us during those important court days of our unlawful detainer action.

The 7 days notices and service of the termination of tenancy were just the beginning of what we experienced. Next month I will continue our story of struggle against the owner of Rowland Heights Mobile Estates to show how residents coming together can actually prevail against an unscrupulous park owner.

Sam Meng, son of Ken Meng, President, 1441 Manufactured-Home Residents Association, Rowland Heights, CA. 133@mra1441.org. (626) 581-6580



PHOTOGRAPHS

All photographs were taken at the May 2013 protest marches in Rowland Heights Mobile Estates. About 140 residents and 10-15 students participated.

Editor's Note: *We are thrilled to be working with Ken Meng and MRA1441. Through much adversity (these folks are mainly Chinese speaking and are not fluent in English), they have accomplished so much. Sam Meng will continue their story in the February issue of MH Life Magazine. Their struggle shows what can be accomplished when residents stand up for their rights. And it need not be difficult. You can see these folks are having a good time being together with their friends and neighbors. We would call that Community at its best. Congratulations to all. If you have a computer I suggest you visit their website (<http://mra1441.org/>). Photos can be accessed at <https://www.flickr.com/photos/110013505@N07/>. Each has is a wealth of information including letters from the park attorney and the unlawful detainer action.*

Strategies for Dealing with Retaliation

Editor's Note: Some park owners and managers have had a campaign of intimidation and harassment in order to create an atmosphere of fear in their park. One of their goals is to have residents hide in their homes, afraid to speak up for their rights and/or organize. From what we see, they have done a good job. Many residents are indeed afraid, allowing park owners and managers to cross the legal line without any opposition.

Retaliation is another tool some park owners and managers have. All Parks Alliance for Change, a state-wide advocate for MH owners in Minnesota has published the following in their "Community Organizing Manual," pages 17-20. Their website is: <http://www.allparksallianceforchange.org/>. We thank them for their hard work to protect their MH Community.

WHAT IS RETALIATION?

Retaliation is a strategy used by powerful institutions to prevent homeowners from organizing and/or asserting their rights. It is a two-pronged strategy involving both active and assumed retaliation.

"Active retaliation" is carried out in the form of specific actions that punish leaders and their base for their efforts to pursue change.

An effective and far more insidious form of retaliation is "assumed retaliation," meaning that people automatically assume that organizing or asserting ones rights will lead to retaliation, even in the absence of specific past examples. Assumed retaliation operates so that powerful institutions rarely have to use active retaliation. The very existence of assumed retaliation prevents people from organizing and standing up for their rights due to a perceived sense of powerlessness and internalized fears.

- Retaliation
- Community
- Organizing
- Undermined
- Assumed
- Proactively used to prevent organizing, fear based
- Active
- Reactive responses to organizing, concrete actions

RETALIATION IS REAL

There are countless examples of active retaliation. The case of Tammy Hoth, a homeowner and leader from Montana, shined a national spotlight on the issue of retaliation. She was arrested and jailed for exercising her free speech rights in a manufactured home community by flyering and attending resident association meetings. Tammy Hoth was threatened with 6 months in jail for her actions, but the charges were

later dropped following a national campaign for her freedom. Strategies for Dealing with Retaliation

In Minnesota, APAC brought a case to the state Supreme Court after a park lord (Uniprop) refused to allow organizers into the community to educate residents about their rights. The Supreme Court upheld APAC's right to freedom of expression. In a manufactured home community called Jackson Heights, immigration police raided the community after residents rallied against a road project that would demolish their homes. The leader of the residents association and many of its members were deported.

Park lords have a variety of tools at their disposal to carry out other forms of retaliation, such as eviction, rent increases, denial of services, discriminatory enforcement of park rules, harassment, and damage to reputation.

RETALIATION IS AN EXCUSE FOR PEOPLE NOT TO GET INVOLVED

The assumption that getting involved will lead to retaliation prevents many people from getting involved. Yet for every example of real retaliation there are many, many more examples where residents organize and retaliation is either not used or ineffective. We need to be sympathetic towards people who fear retaliation out of a feeling of powerlessness or vulnerability, but we also want to challenge their assumptions and embolden them to become leaders rather than victims. If you are involved in organizing your community for Mobile Justice, then you are taking a risk. You need to let people know that it they want to see change, then they have to assume some of the risk as well.

WHY DOES RETALIATION EXIST?

Retaliation is a tool that park lords, government agencies, and others use to maintain control and to retain power. Many see retaliation as an act of power, but it really isn't. Retaliation would not be necessary if community organizing had no potential for success. Retaliation happens because institutional power fears this success. Therefore retaliation is not a demonstration of power, but rather an act of fear and powerlessness. They are scared of you!

Although retaliation comes from a place of powerlessness, it is also a strategy that has proven to be successful. Retaliation works. That is why it is so important that we understand how to confront it.

HOW TO OVERCOME RETALIATION

Find out what Protections Exist in Your State. Many states already have laws that make retaliation illegal. For example Minnesota state law says: "A park owner may not increase rent, decrease services, alter an existing rental agreement or seek to recover possession or threaten such action in whole or in part

as a penalty for a resident's: (a) good faith complaint to the park owner or to a government agency or official; (b) good faith attempt to exercise rights or remedies pursuant to state or federal law; or (c) joining and participating in the activities of a resident association as defined under section"

When looking at the laws in your state, pay close attention to how those laws are enforced and what loopholes (if any) may exist.

EDUCATE RESIDENTS ABOUT THEIR RIGHTS

Once you have done the analysis, educate your base about these rights and your commitment to ensure they are protected. This will often decrease a lot of people's fear about retaliation. Strategies for Dealing with Retaliation

IF NO PROTECTIONS EXIST, CHANGE THE LAW!

Freedom is supposed to be one of the core values of this country. There is no reason why people should be denied basic human rights due to their choice of housing. Protections for retaliation are essential because, without them any effort to organize bears the risk of catastrophic consequences.

CONDUCT A RISK ASSESSMENT FOR YOUR ORGANIZING CAMPAIGN

People worry a lot about the risks of becoming involved, but rarely think of the risks of not becoming involved. In a group setting, ask people to come up with a list of the risks of getting involved (after educating them about the law!). Then ask them to come up with a list of what will happen if no one gets involved (park closings, rent increases, unfair rules, bad laws, etc). If you are choosing issues that people care about, the risks of doing nothing are often greater than the risks of doing something.

RISKS OF GETTING INVOLVED RISKS OF DOING NOTHING

- Losing your home Losing your home
- Rent Increases Rent Increases
- Damage to reputation, harassment Damage to reputation, harassment
- Arrest and/or deportation Accept victim role, powerlessness
- Loss of anonymity Loss of self-respect, dignity
- Public disapproval Public ignorance
- Park lords become more hostile Park lords think they can get away with anything
- Possibility of failure Setting precedent of weakness
- Strength in numbers

By acting as a group, it is more difficult for institutions to

retaliate against you. The old saying, "united we stand, divided we fall," holds true when it comes to retaliation. The stronger the base, the broader the network of support will be in response to any real retaliation.

SURROUND YOURSELF WITH ALLIES

You are less likely to face retaliation if you surround yourself with powerful allies (organizations, elected officials, faith community leaders). Institutions will retaliate against people they perceive to be weak, but if they have powerful people on their side it serves as a buffer. Have your allies send a message "you mess with them, you mess with me!"

BE PUBLIC

Retaliators are like cockroaches; they scatter and run when you turn on the lights. The more outspoken and public you are in your work, the less isolated you are and the more people will sympathize with your cause. It also creates an opportunity to hold institutions accountable on a higher level for retaliation, compared with fighting it out in the darkness.

STRATEGIES FOR DEALING WITH RETALIATION

Act Professionally. Don't provide park lords with easy excuses to retaliate against you by not paying rent or disobeying reasonable park rules. Make sure that you are credible in what you do and say, thus maintaining the moral high ground. People sympathize with community leaders, but not with public nuisances.

Whenever possible, try to appeal to your target's self-interest rather than demonizing them right off the bat. Angering a target should be a deliberate and strategic decision, not an accident.

Remember there is nothing wrong with making someone angry as long as it is strategic. But recognize that with that anger comes a heightened risk of retaliation.

HAVE A PLAN

Don't wait until you or someone else is attacked to come up with a plan. Rather than scrambling to do damage control, you want to be in a strong position to respond immediately and effectively if your opponents use retaliation aggressively.

RESPOND TO ACTS OF RETALIATION AGGRESSIVELY

Acts of retaliation have the potential to obliterate your campaign. People will look to your organization to see what your response will be, as they weigh their decision to stay involved. This is not a time to put your tail between your legs and hope everything will blow over. Now is the time to be vocal and aggressive like never before. Your base will be looking to see if your commitment to stand up to them is real, and your opponents are already looking at whom to target next. Put a stop to retaliation now!

Park Management Problems

The next couple issues of MH Life Magazine are devoted to the subject termed “park management problems.” A Hearing on management problems was conducted in 2004 by the Senate Select Committee on Mobile and Manufactured Homes (Senator Joseph Dunn, Chairman). In fact we were there. We write about it eleven years later because, as with other major problems, there has been no progress. We are extremely concerned.

THE PROBLEMS

Actually the “problems” include actions park managers and owners take against residents. These include violations of the MRL, harassment, intimidation, and others. These are often the focus of residents complaints, yet we are still waiting for some assistance from state and local government.

Those of us who have experienced such problems quickly realize that the Housing and Community Development (HCD) has little or no power to enforce the Civil Codes found in the Mobilehome Residency Law and continues to have budget problems. And don't write to the Ombudsman for help with MRL issues, because they won't help you.

A small portion of the public hearing of October 19, 2004 before Senator Dunn is published here. This testimony should only strengthen our understanding that these types of problems occur across the state, they are not isolated incidents as the park owners would have us believe, and they have occurred, without any real action, for over 30 years. Shouldn't we TAKE A STAND NOW? Or are we willing to endure another 30 years under the oppression of those managers who feel they are above the law and park owners who are motivated to break the law for financial gain and greed. You and I, our friends and neighbors living in mobilehome parks need to UNITE TOGETHER!

HEARING ON MANAGEMENT PROBLEMS

On October 19, 2004 Senator Dunn heard testimony from about 22 witnesses, most of whom were mobilehome owners. Copies of the full transcript of the hearing (Senate Publication #1306-S) may be purchased from Senate Publications, 1020 N Street, Room B-53, Sacramento, Ca. 95814 for \$7.75 plus current California sales tax. Make checks payable to Senate Rules Committee.

BACKGROUND (BY SENATOR DUNN'S STAFF)

There are approximately 4,850 mobilehome parks and manufactured housing communities in California providing spaces for an estimated 675,000 residents. A mobilehome park is an area or tract of land where two or more mobilehome sites are rented, or held out for rent, to accommodate mobilehomes used for human habitation.

Mobilehome park owners hire managers to perform various functions in the operation of the park, such as collecting the rent, reading utility meters, providing security in the park, arranging for the use of the clubhouse or recreational facilities, if any, enforcing

the park rules, providing various notices required by law to the residents, maintaining or overseeing the maintenance of the park, managing the office and books, and dealing with homeowner/resident complaints, among other duties.

Some parks are operated by professional property management companies that select and train site managers. The Western Manufactured Housing Communities Association (WMA) has their own management training program available to member parks. Other parks, usually smaller older parks, hire whomever they can find, sometimes even a long-term resident, to collect the rent, oversee maintenance, and run the office. Sometimes these individuals may be more akin to caretakers than managers. The Health and Safety Code requires a responsible person to be available in emergencies who has knowledge of the common area facilities and the utility systems, and in parks of 50 or more spaces that person must reside in the park. The person must be reachable by phone, cell phone, answering service, or pager to respond in case of emergencies. This person is not specifically required by law to be the site manager, but any person so designated by the park to fulfill that responsibility.

MANAGER PROBLEMS (BY SENATOR DUNN'S STAFF)

The number of complaints to the Committee about manager problems has increased in the last few years. Testimony that the Committee will hear will illustrate the management problems, which some residents contend necessitate reform. In summary, these often involve disputes between the manager and a resident or residents regarding enforcement of the park rules, unwillingness of the management to approve the resale of a mobilehome in the park, utility billing and meter reading or a number of other issues. Sometimes this tension between the residents and the site manager is the result of a lack of communication on both sides or it may involve the attitude of the resident or the manager. Not infrequently residents perceive that the manager is harassing or otherwise mistreating them, particularly if the manager threatens them. In other cases it is simply a matter of alleged neglect or incompetence on the part of the manager. Residents contend that the lack of information or knowledge on the part of managers, particularly of the Mobilehome Residency Law, leads to the management's refusal to recognize certain resident rights. This in turn leads to confrontation and bitterness between the park resident(s) and the manager. A common complaint to the Select Committee is that some parks deal with residents in a heavy-handed fashion, intimidating them through threats of reprisal or eviction if they complain about park health and safety violations or the enforcement or lack of enforcement of park rules. On the other hand, the park industry argues that in many cases a dispute is just as much the fault of the homeowner as the manager. Moreover, they point out that the major state park association already has a training program and that the costs of administering and enforcing legislatively mandated manager licensing and training program will drive up the cost of housing in mobilehome parks without guaranteeing that manager-homeowner disputes will or can be resolved, notwithstanding such licensing.

EXCERPT FROM MILT BURDICK

Park Owners often hire or own management types such as Sierra Management Corporation who in turn hire on-site managers. When Homeowners have problems with on-site managers, and the management company that hired them, the Park owner is insulated from the problem. The MRL 798.28 requires management to give the Homeowner the name and business address of owner, often times the business address and phone number is the park address and phone number. MRL 798.28 should be changed to read that this information should reflect where the Homeowner can contact the Park Owner in person.

The HCD web page which has Mobilehome Park and RV Listings is in bad need of updating. There are wrong park names, wrong owner, and many owners or operators only list park address or PO Boxes. The list with this misinformation is unreliable to use.

Gang Style Management: A number of Mobilehome Parks operate with this style of management. Some Mobilehome park management companies (and in some cases Park Owners) off-site and on-site management is the GANG leaders, Corporate Lawyers, are the GANG members. Homeowners and Residents are the neighborhood residents. The threat is put out by management, real or imaginary that if you challenge park management we'll get you one way or the other, such as Rules and Regulation violations (most of the time drummed up charges), unfair rent increases, threat of eviction, harassment by management until you move. At least in a GANG infested neighborhood residents have the police if necessary---Mobilehome owners and residents have little or nothing at all if they do not have a homeowners association or a GSMOL Chapter in their park to fight for their rights.

MRL: leads to the management's refusal to recognize certain resident rights. This in turn leads to confrontation and bitterness between the park residents and the manager. A common complaint to the Select Committee is that some parks deal with residents in a heavy-handed fashion, intimidating them through threats of reprisal or eviction if they complain about park health and safety violations or the enforcement or lack of enforcement of park rules.

Selective enforcement of rules and regulations allows one Homeowner to do something and deny the next Homeowner.

Some Park Owners change the Rules and Regulations at will.

I am sure if you were to audit HCD records state wide on complaints filed on form HCD-OL-419 you would be shocked at some of the complaints filed plus HCD only has the power to suggest and the Park Owners know it.

In some parks, park managers remove personal mail (non US postal mail) from resident's mail tubes, such as advocacy information, bulletins and meeting notices. Parks also tell advocates they can't use the tubes to communicate with Homeowners.

SUMMARY OF COMPLAINTS

Generally speaking, testimony at the hearing included allegations that managers unreasonably interfered with residents' resale of their homes, managers made arbitrary rule changes or

made up rules as they went along, managers enforced park rules unevenly, managers did not attend to maintenance problems in the park, such as sewage leaks or back-up or electrical and lighting problems, managers retaliated against enforcement agencies, managers violated or were ignorant of various provisions of the Mobilehome Residency Law (MRL) relating to resident rights, or that managers generally harassed, intimidated, bullied or yelled at residents in some parks. A few complained that they had no site manager in their park at all and that no one responded or responded only after considerable delay, in the event of a park problem or emergency. Some of the testimony also digressed into other issues.

PROPOSED RECOMMENDATIONS

The most frequently mentioned recommendation was that state set up a process for licensing or at least certification-of park managers that included an education and testing component, arguing that this kind of process is necessary to raise the overall level of quality of managers over time. Other recommendations by witnesses included:

- Creation of local mediation boards to resolve manager-resident problems
- Creation of penalties or greater responsibility—presumably strict liability—for parks for the misdeeds of their park managers
- A state requirement for bonding of park managers
- A state requirement for criminal background checks for managers
- Creation of a state task force to explore dealing with management problems
- A state requirement that parks have on-site managers especially for emergencies
- Establishment of model park rules and regulations, presumably in the MRL
- The commitment of more state resources to the enforcement of existing mobilehome laws, or local and state prosecutorial enforcement of the MRL
- Establishment of some kind of standard of care in the management of parks, particularly with regard to seniors or children
- Additional opportunities for homeowners to buy their parks, presumably the right of first refusal or more state loan funding.
- More oversight of unreasonable parking and towing practices in parks
- A prohibition on “incentives” for parks from buying evicted residents' homes for a dime on the dollar so the park can resell them, or replace them with new homes, for a park profit—presumably a change in the warehouseman's lien process;
- A state requirement for playgrounds for children in “open” or family parks.

Two Viable Law Enforcement Options

UNITY - STRENGTH IN NUMBERS

You may think you are powerless. You may think your situation, i.e. a poor, defenseless mobilehome owner versus a powerful, rich park owner, is hopeless. But you are wrong.

We see senior abuse, residents losing their homes, illegal evictions, retaliation, new rules and regulations on the fly, etc. Do you want to continue experiencing these problems? What about your kids who will inherit your home? And perhaps their kids? Lord knows, if we don't draw a line in the sand today and start working together, nothing will get accomplished.

We often come back to the saying Strength in Numbers. It's really true! Just think, we could raise \$1.875 million to be used to protect our lifestyle and the equity in our homes if every MH owner contributed just \$5. That's huge. But it isn't happening, and it's not that we (COMO-CAL and MH Life Magazine) haven't been trying to unite you with other MH owners.

It only takes **you** to support The Unity/Regional Group Plan. But as long as **you** continue a) to believe this is no problem, b) continue to believe someone else is handling the problem, c) continue to believe your support won't make a difference, or d) continue to feel nothing will ever change, then we are all in serious trouble.

LEGISLATED "STRENGTH IN NUMBERS"

Let us give one example of Strength in Numbers, in this case, the "strength in numbers" is legislated, i.e. it is not voluntary. We've written many times about the Washington State Dispute Resolution Program. In Washington State, by law, landlords are required to register each pad in their community or park with the Department of Revenue and pay \$10 per year for each space that is rented to a person who owns their home. Landlords may charge each homeowner a maximum of \$5 per year of this assessment. The fee is then used to fund the Manufactured Home Dispute Resolution Program (MHDRP) and cover the DOR registration and licensing costs. This program

"does not represent landlords or tenants but advances the public interest as a neutral third party negotiating an agreement that complies with the MHLTA. If an agreement cannot be reached we may formally investigate and move forward with enforcement action." Homeowners and landlords may file a request for dispute resolution if they believe that there may be a violation of their rights under the MHLTA. The Attorney General's Office may negotiate with opposing parties, determine whether further investigation is needed, decide whether a violation has occurred and issue fines and other penalties when appropriate in order to bring compliance with the law. See more at: <http://www.atg.wa.gov/manufactured-housing-dispute-resolution-program#fees>

TWO OPTIONS

We see at least two options to have some viable enforcement of the law. One is legislated, as with the Washington State program. The other is voluntary, as in our Unity/Regional Group Plan. Of course, a third is a combination of both. We believe this provides the best protection for the MH Community.

GOVERNMENT VS PRIVATE

We've seen many times where government programs are inefficient and wasteful, i.e. much of the money provided to the program isn't used to accomplish the program's goals.

A year or two ago there was legislation proposed that would have provided funds to Housing and Community Development (HCD). The goal was enforcement. The legislation didn't pass and we believe that was the best outcome.

We feel residents can do a much better job than government, depending on the way they are organized. We feel the Regional Group Plan is an excellent plan and residents should support it by donating, joining COMO-CAL and volunteering.

6 Months of MH Life Magazine For Just \$5

We understand how hard it is for some folks to pay their bills from month to month. Believe us, we are in the same boat! On the other hand, we understand all MH owners have concerns about one thing or another while living in a park where they pay rent to a landlord. It is important that all MH owners be connected, and MH Life Magazine is the best way. Our goal is to have everyone reading MH Life Magazine, especially those who can least afford it.

For a limited time, we are offering low income families a six month subscription to MH Life Magazine for only \$5 (we are happy to provide this service at a loss).

SIX MONTHS OF MH LIFE FOR JUST \$5

To take advantage of our offer, simply send a check, payable to COMO-CAL, to COMO-CAL, P.O. Box 3774, Chatsworth, CA. 91313. Your subscription starts with the first magazine you receive and continues for six months. Please provide us your phone number, email address and the name of your park (we will not bother you). Or you can fill out the application on page 13. Check the box indicating you want the 6 month subscription.

This is the only way to guarantee you will keep receiving MH Life Magazine. We thank you for your support.



We often receive requests from individuals looking for help. They ask us to recommend an attorney or a link to government organization such as HCD or the Ombudsman, of course thinking those are the best options to get help.

We usually ask them how they found us. They answer: a) through MH Life Magazine, i.e. we've been receiving the magazine or b) through an internet search. Of course it's because we've delivered more than 400,000 magazines to the MH Community and our website has several thousand hits a month.

THE MOBILEHOME OMBUDSMAN

Remember the Ombudsman does not handle Civil Code issues (management problems, rent control, leases, lot lines, etc). Call the Ombudsman when you have a title problem, an issue

with a dealer, etc. But don't call the Ombudsman if you have a question about manager problems, rent, leases, or other Civil Code issues.

ATTORNEYS

We've written that attorneys should be your last option. The reasons are obvious. Attorneys cost lots of money, most are not well versed in issues found in mobilehome parks and litigation can be very lengthy and costly. Finally, there is no guarantee of a positive outcome and if you lose, you might be required, by the court, to pay attorney fees for the park.

THE COALITION OF MOBILEHOME OWNERS

So what is our suggestion? The ombudsman doesn't handle civil code issues. We suggest when looking for help on issues like manager problems, rent, leases, lot lines, interference of sales, etc., your first call should be to COMO-CAL (800-929-6061/818-886-6479). COMO-CAL is your best bet for help, hands down. Why?

- We answer our phone and are available to take your call.
- We have been serving the MH Communities for over 12 years.
- We have lots of resources and lots of contacts. So if we don't have an answer to your question, we probably know someone that does.
- We have a long history helping folks.

6 Months of MH Life Magazine For Just \$5

We understand how hard it is for some folks to pay their bills from month to month. Believe us, we are in the same boat! On the other hand, we understand all MH owners have concerns about one thing or another while living in a park where they pay rent to a landlord. It is important that all MH owners be connected, and MH Life Magazine is the best way. Our goal is to have everyone reading MH Life Magazine, especially those who can least afford it.

DO I HAVE TO SUBSCRIBE?

Yes. We've provided some folks several years of magazines at no cost. But we realize something free really isn't valued. And we continue to believe MH Life provides many benefits to the MH Community and without it we are all lost. So now we are asking you to help us help you.

We know you will understand why we are asking for your support. You must take some responsibility in protecting yourself. You must have some "skin" in the game. Last year MH Life Magazine published and distributed 230,000 magazines, mostly FREE. The cost: almost \$70,000. Your contribution: \$6125.

SIX MONTHS OF MH LIFE FOR \$5

For a limited time, we are offering low income families a six month subscription to MH Life Magazine for only \$5 (we are happy to provide this service at a loss).

What do you get for your \$5? You get 6 issues of MH Life Magazine delivered via USPS direct to your mail box. And only you will know you're getting it, so there is no chance of any park retaliation. Remember, Knowledge is Power. The magazine provides you the knowledge to better protect yourself, the equity in your home and your lifestyle.

To take advantage of our offer, simply send a check, payable to COMO-CAL, to COMO-CAL, P.O. Box 3774, Chatsworth, CA. 91313. Your subscription starts with the first magazine you receive and continues for six months. Please provide us your phone number, email address and the name of your park (we will not bother you). Or you can fill out the application on page 13. Check the box indicating you want the 6 month subscription.

Benefits of Joining COMO-CAL

- COMO-CAL is the only advocacy organization that guarantees results. If after 90 days you are not happy with our service, we will refund 100% of your dues. You may keep the \$5 Handbook as our way of saying Thank You for joining.
- With our money back guarantee, you have NOTHING to lose by joining and everything to gain.
- You receive a 12 month subscription to MH Life Magazine
- \$10 of your \$25 goes into a Legal Fund (for your region)
- \$8 of your \$25 goes to your Regional Group
- \$5 of your \$25 goes to MH Life Magazine
- \$2 of your \$25 goes for postage of the Handbook
- You receive COMO-CAL's 36 page Frequently Asked Questions and Answers compiled by the Senate Select Committee on Manufactured Housing Communities.

This is a "got to have" reference book for any mobilehome owner living in California.

- COMO-CAL now has a Help Line (M-F 8am-9pm). The Help Line does not answer individual resident issues, but can help guide you.
- Your dues are only used by your Regional Group to provide services to you.
- Your membership allows MH Life and COMO-CAL to continue providing services to the MH Community.
- COMO-CAL is a 100+ network of parks in California.
- COMO-CAL advisors have years of experience and are ready and willing to take on issues that have existed for decades.
- Please don't forget to donate. MH Life alone costs over \$60,000 per year. And a strong COMO-CAL means we are better able to serve you, to protect your investment and your lifestyle.



Membership Application COMO-CAL

Subscription - MH Life Magazine

NAME: _____ Date: _____

MAILING ADDRESS: _____

SPACE # _____ CITY: _____ ZIP: _____

PHONE #: _____ PARK NAME: _____

E-MAIL: _____

Annual Membership in COMO-CAL (MH Life sub included) (\$25). \$ _____

MH Life Magazine annual subscription only (\$15). \$ _____

MH Life 6 month subscription for low income (\$5) \$ _____

I believe in the cause and your good work. I want to donate. \$ _____

I will deliver magazines door to door in my park

I will help a group in my park. I will help my Regional Group

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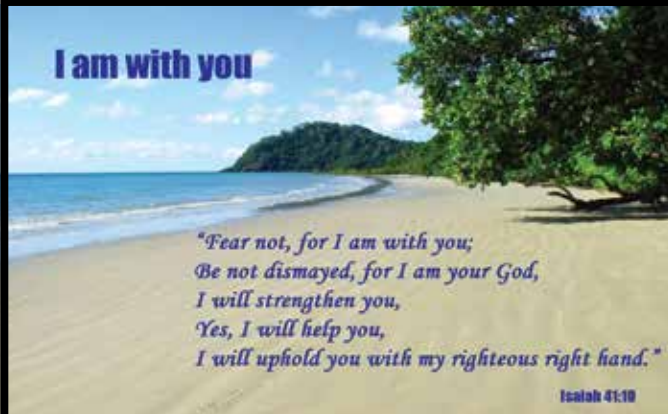
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*"Fear not, for I am with you;
 Be not dismayed, for I am your God,
 I will strengthen you,
 Yes, I will help you,
 I will uphold you with my righteous right hand."*

Isaiah 41:10

PRAYER REQUESTS

Do you need prayers? Prayer changes everything. There are praying churches in various communities which can pray for you. E-mail your prayer requests to: prayingchurches@gmail.com. You can state your first name or initials or remain anonymous. Your request will be kept confidential.

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