

Extended Edition

Vol. 1 No. 1 December 2013

Mobilehome Magazine



From the Staff of Mobilehome Magazine

Welcome to our first "Extended" Mobilehome Magazine for the month of November 2013. It is only published online, and if it is useful, we will continue publishing it in the future.

WHAT IS MOBILEHOME MAGAZINE - EXTENDED?

This Extended Magazine contains all the content of the five magazines published this month, plus full articles from newsprint. Remember, the printed magazine does not provide enough room to publish everything we'd like to share; hence the Extended Magazine.

This month we will group content by region: North Bay, San Jose, Orange County, North San Diego County and San Diego. The Extended Magazine is 51 pages. You can download the whole magazine or a page from the DOWNLOAD section of our website: www.mobilehomemagazine.org

WE NEED YOUR FEEDBACK

Please let us know if you find the Extended Magazine useful. It takes time to put this all together, and if you are using it, we will continue.

JANUARY MOBILEHOME MAGAZINE

We have not yet decided to print a California Magazine or continue with the San Jose magazine in January. In fact all magazines will probably be 16 pages only. Why? Lack of funds. We have only one advertiser for San Jose, that's Hughes West-Brook. Fortunately Myron Hughes believes in the magazine and has taken all back covers. Without Myron, there would be no magazine. Please call 800-660-0204 and let Myron know you appreciate his support of your magazine. And if your insurance is coming due, we've only heard good things about his insurance company!

WE ARE LOSING ADVERTISERS

Advertising is critical if the magazine is to succeed. Please read the article on page 34-35. Several businesses have let us know that no one is calling them and they have discontinued their ads. The magazine simply can't continue if you don't use our advertisers.

DONATIONS

Donations total \$6,000 for 2013. 285 have donated and we truly appreciate their support. The average donation is \$20! That's terrific; however over 30,000 households have received the magazine, some as many as 12 for the year. We need their support too!

The Mobilehome Magazine Staff



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T A B L E O F C O N T E N T S

From The Desk of the Editor **Page 4**

News From Around The State **Page 4-15**

Winchester Ranch - San Jose **Page 16 - 29**

Linda Vista - San Diego **Page 30-33**

Miscellaneous Articles **Page 34-51**

Order & Donation Form **Page 52**



News From Around The State

Takings' case may be human-rights issue High court asked to mull rent-control case

SACRAMENTO 10/21/13 An attorney who defends low-income people against local government takings likes to say that “property rights are human rights.” It’s not much use to have the right to speak out, he argues, if you don’t have the right to be secure in your property.

We chatted years ago when a county was using eminent domain — government’s right to take property, after paying fair compensation — to acquire modest lake-area homes on behalf of a developer. Owners called the neighborhood a “poor man’s Shangri La,” but officials said it was a public use to turn the area into an upscale development.

My attorney friend viewed it as an affront to the rights of the mostly retired owners. Most Americans seemed to agree. After the U.S. Supreme Court ruled in the 2005 *Kelo v. New London* case that localities could use eminent domain for “economic development,” a public backlash ensued given the seeming unfairness of these “take from the poor, give to the rich” policies.

Eight years later, another landmark property-rights case may be headed to the nation’s highest court. It involves a similar question that was at the heart of *Kelo*, but applies it to different circumstances: When can government take the value of private property through regulation and transfer it to a different set of owners?

The court is deciding whether to hear this new case, which centers on the city of San Rafael’s rent-control ordinance. Here it harms an out-of-state developer and benefits local mobile-home residents, but many of the same principles are at stake even if the economic conditions of the beneficiaries and losers are swapped.

In California, mobile-home residents typically own their homes but rent the land from the park owners. When owners sell their home, the park management must lease the underlying property to the new purchaser. A park owner is limited in the ability to evict a mobile-home owner, based on state law.

In 1989, that Marin County city passed a rent-control ordinance limiting rent increases in these parks. In 1993, it required that land owners keep the rent at the same price even after a mobile-home owner sells the home to a new owner. In 1999, the city further toughened the law, limiting rent increases to 75 percent of the Consumer Price Index.

Frustrated at how limited they were to adjust rents or recoup capital costs, Contempo Marin park owners in 2000 filed suit. The district court found that the city’s ordinance reduced the property’s value from \$120 million to \$23 million, and ruled in the park owners’ favor.

The city claimed that its ordinance would improve affordable housing, but the court found it troubling that a group of politically active residents lobbied the City Council for a law that inflated the value of each mobile-home by an estimated \$100,000. (These days, those mobile homes — located in a prime location near the bay — can be priced at more than \$300,000, so it’s not poverty row.)

But the Ninth Circuit Court of Appeals overturned the decision. Unless a government takes the entire value of a property, it ruled, the owners have no right to compensation. It gave governments the widest latitude to pass such laws — as long as there is some plausible public-policy purpose. And it disputed the owners’ claim of loss, given that they purchased the property after the city passed its first ordinance.

“(T)hose who do business in the regulated field cannot object if the legislative scheme is buttressed by subsequent amendments to achieve the legislative end,” cited the court. But every business is regulated, so that could have far-reaching results for those that want to challenge rules that become too onerous.

This case gives the court a chance to revisit an issue flagged in *Kelo*, said Bradley Benbrook, a Sacramento attorney who co-authored a brief asking the court to review the property owners’ appeal. “Courts have to take seriously claims that a local government’s alleged ‘public use’ is really a disguised transfer of value from one private party to another,” he told me.

And it also gives the court another chance to evaluate whether a “taking” is just a simple economic matter, or whether it treads on something more fundamental to our humanity.

By Steven Greenhut Oct. 21, 2013

<http://www.utsandiego.com/news/2013/oct/21/takings-human-rights-court-case/>

Mobile Home Parks: Gold Mines or Money Pits?

By WEALTH Magazine Staff

If you ask multi-niche investor Frank Rolfe what he thinks of investing in mobile home parks, his answer is simple:

“They’re a gold mine,” he says. “We are willing to bet money that they are the best real estate niche in existence in America right now.”

Rolfe says he has personally owned and operated more than \$100 million in parks over the last decade.

Rolfe of MobileHomeParkStore.com finds mobile home parks to be a phenomenal investment—if you get educated and do your due-diligence research.

WHAT MAKES MOBILE HOMES MONEYMAKERS

Why are parks so great for investors? Rolfe says the main reason is that customers can’t move their homes. If an apartment renter wants to move, he can just pick another apartment. If a homeowner decides to move, he can sell his home and buy another. But if a mobile home owner wants to move, he either has to sell the mobile home or move it—and moving it is usually too cost-prohibitive. Either way, the park owner keeps collecting rent on the home site.

The second factor that makes mobile home parks a great investment is that not many, if any, new mobile home parks are being built. Yet the demand for affordable housing is increasing, and mobile homes remain popular because they offer the perk of a single-family dwelling rather than apartment living with neighbors over, under and adjacent to you. The third reason why these investments can be so attractive, Rolfe says, is that many of them are owned by people who are nearing retirement age or no longer want to keep the park in the family.

“There are about 50,000 parks in the U.S. and forty thousand of them are basically owned by moms and pops, many of whom don’t know what they are doing,” Rolfe says. “If you look at their financial statements—if they even have financial statements—they are often messed up. You can find many parks where the expenses are overinflated and the rent has not been raised in decades and is way behind the local market.”

When you find a park where you can walk in and either easily cut costs or raise the rent, then you are looking at a great investment.”

Rolfe says the *pièce de résistance* for mobile home parks is that the land in many of the “mom and pop” parks is already paid off, and the sellers will hold the loan with only 10 or 20 percent down.

“When you already have the financing done by the seller, it allows you to avoid the whole banking nightmare,” Rolfe says. “Plus, sellers don’t require recourse, which means you have

very little risk. If you hate it or if disaster strikes, you can just give the park back and walk away.

“If you buy a house today, you sign a mortgage with the bank. That means if you walk away or go into foreclosure, the bank will hold an option. If they sell the house for less than you owe, you still have to pay the rest. On a recourse note, they are coming after you.

“With mobile home parks, if Mr. and Mrs. Smith sell me their park, they don’t demand recourse because they are not very sophisticated. I can walk at any time, and they get the park back. You forfeit the down payment and that makes them happy as can be, because they can sell it again.”

WHERE TO DIG FOR GOLD

If you want to try your hand at investing in a mobile home park, Rolfe has some insider tips you should know in order to get started.

Look for parks in areas that are growing, not shrinking in population. Do your homework on any park you are considering. Ask to see the books, but if the books are not accurate or up-to-date, or if they don’t exist at all, recreate them. Find out what utilities cost, and check around to see what the average rental prices are in the community compared to what is being charged at the park you want. And stay away from top-of-the-line parks, the high-end ones with clubhouses, swimming pools and state-of-the-art amenities. The best investments are actually the older parks that offer very little. Why? Because the key to mobile home park profitability is affordability.

“There is a segment of the industry that is luxury parks, and these guys are often sitting at 50 percent occupancy. They’re doing awful,” Rolfe says. “In the 1980s when they were built, it cost 10 or 15 thousand for the mobile home and the land rent was \$150 a month. So for \$300 a month, you got a beautiful place to live and everyone was happy.

“Then in the 1990s, the REITs [real estate investment trusts] went crazy and bought up all those parks. They raised the rents. Plus, they wanted to keep the parks looking nice, so they demanded that the mobile homes be a certain age or newer. Homes had to be replaced, and the cost was a lot more. Suddenly, instead of three hundred a month for the house and land, owners were paying a thousand dollars a month.

“Who wants to pay a thousand dollars a month to live in a trailer park when they could have a nice house for the same amount? People just walked away.”

The money is made in the older, even the more rundown parks, Rolfe says.

“The industry has gone bipolar,” he says, “with the luxury parks doing terribly. The ones where the homes are old are flourishing.”

LANDLORD OR SLUMLORD?

Many investors might cringe at the thought of making a profit from lower-middle-class mobile home renters, but Rolfe stands by his belief that these parks are solid investments that provide an important service to people with low, limited incomes.

“You are only collecting rent on the land under the homes. You are the landowner,” Rolfe says. If you set a few rules about the park’s appearance, keep the grounds neatly mown and landscaped, make sure the utility pipes and lines are in good working condition, and keep the roads in good shape, you are doing your job as a park landlord. The condition of the homes is up to the homeowners.

“The real slumlords are the apartment-building owners in the projects and inner cities. That’s where all the real trouble is,” Rolfe says. “Ask any police officers in your city where the most trouble is, and they’ll tell you it’s in the apartments, not the mobile home parks. That’s one of the things that increases demand in the mobile home parks, because people know how bad the apartments are and want to get out of there.”

LOOKING OUT FOR THE DOWNSIDES

The one big no-no in mobile home park investing is buying parks that sit squarely in hurricane zones, Rolfe advises.

“Hurricanes are a real problem in parks,” he admits. “If you have an apartment complex, you hold insurance to rebuild. But as a park owner, the homes are not your responsibility. Many will not have insurance, and many will be underinsured. So if you buy a park and it gets hit by a hurricane, it’s going to be a real mess. You cannot afford to be a park owner in Galveston, Texas. Even if a hurricane only comes through every ten years, if your whole community is wiped out, that is a lot to lose.”

Another downside can occur if you micromanage your investment.

“Here’s the key to happiness in the park business: Do not get involved in the homes,” Rolfe strongly advises. “The big mistake park owners make is that they buy a park then discover that the lady in Lot 19 wants to sell her house for only a thousand dollars. Suddenly, the owner thinks he can buy that and get the rent on the land and the home. But the homes will kill you, because then you become involved in the lives of your tenants. You are one of them. They will call you all hours of the day and night, and you will be expected to mediate disputes. The homes are just not worth it.”

Rolfe says good park investors have to see themselves as similar to a city.

“If the city suspects someone is making meth (an illegal drug) in a home, do they confront the homeowner or go around asking the neighbors if they know anything? No,” Rolfe says. “The city informs the police and lets the police handle it.”

“If the roads are good and the utilities are flowing, you’re doing your job. You don’t want to know the names of your

tenants or about their families. You don’t really want them to know yours. You just provide the grass and the pipes, and that’s it.”

HOW MONEY IS MADE

In the days before the Internet, mobile home park investing required hunting down a local broker in an area you were interested in and having him show the available parks, or cold-calling or visiting park owners to see if they wanted to sell. While these methods are still available, most investors now turn to the Web.

“The industry has changed hugely since the Internet was developed,” Rolfe says. “Now, even moms and pops have computers, so they Google ‘Sell my park’ and end up on our website. We carry over a thousand parks on MobileHomePark-Store.com, so you can build a vast universe of projects really fast, which you can then cold call or send a postcard. There is no shortage of product.”

There are three main reasons a park is up for sale, Rolfe says.

“There is one subset of sellers who are just opportunists. We call it ‘fishing for idiots.’ They will list a park for three times what it is worth, and some idiot will buy a bad park. Then there is another subset of sellers who are in distress and have to get rid of their parks. Some of these sellers are banks. But the bulk are the mom-and-pops. Because they are older or got divorced or have some kind of problem, they have to get rid of their family jewel.

“A lot of them built the park themselves and live in the community. They are not trying to get rid of it because it isn’t good. They just can’t carry it anymore.”

A good deal is a park that has a going-in cap rate of not less than 10 percent, Rolfe advises, and investors should plan to be able to take that from 10 to 20 percent in three to five years.

“You have to be honest with yourself during due diligence and work hard to ascertain all the real revenue and all the real expenses. And do it at the current occupancy figure. If there are 40 empty lots, do not put a penny of value on those empty lots. Just work with what you’ve got.”

The way to make money is to raise the rent and cut the costs, Rolfe says.

“Let me give you two personal examples. I bought a park in Grapevine, Texas, from a man who lived in a little house with a lot next door that he had turned into a little park of about 30 lots. Now he was old, and his wife hated the park and he wanted to sell. When I asked what rent his tenants were paying, it was \$100 a month. One hundred dollars—when the going rent was at least \$300 in the area! So I bought it and sent a letter to all the tenants telling them that they had been getting away with paying next to nothing for years, and in 60 days I was raising the rent to \$275. They could leave if they wanted to, and I gave them a list of all the other parks in the area and their rents, all of which were higher. Sixty days later, I almost

tripled the rent, and everyone stayed. I didn't change anything else, except that I put up a nicer-looking sign.

"In another example, I bought a big park in Oklahoma from a businessman in California who was too busy to stay on top of it. He was losing money and basically didn't want to mess with it. He didn't know what was wrong with it. I went down there and found out that the guy had been suckered years before into offering free cable to all the tenants. And he had not even negotiated a commercial deal with the cable company. So at the beginning, he was paying like \$20 a month per lot, but now cable was like \$50 a month, and the guy was so inattentive that there were like 50 empty lots, and he was still paying for the cable on all the empty lots! He was paying thousands of dollars per month for nothing. I went to the cable company, found out the contract had long ago expired, and told them to turn the cable off. If the tenants wanted cable, they could order cable.

"The bottom line is this: A good deal will have real easy rent increase options and cost-cutting options."

Like any good real estate investment, you must also look

at location. In fact, location is especially important in mobile home park investing, because that is really all you are buying.

"If I buy a park in Durango, Colo., I am really just buying a piece of land in Durango," Rolfe says. "I have to make sure Durango is going up and not down. You might be able to get a cheap park in Detroit, but good luck filling it up."

And while most first-time investors buy parks within a couple of hours' drive of their home so they can check up on them on a regular basis, Rolfe says the best-run parks are usually those whose owners live far away.

"Most people are just not comfortable enough to buy something too incredibly far from where they live," he says. "They do better because the owners are not getting involved in personal disputes, and because tenants have no one to constantly complain to. Once you get over your mental reservation, most people go to their parks only two to four times a year."

<http://wealthmagazine.com/2010/06/mobile-home-parks-gold-mines-or-money-pits/>

What's Causing The Skyrocketing Demand For Mobile Home Parks?

Wednesday, November 06, 2013 [Frank Rolfe](#)

The Carlyle Group – America's largest private equity group – recently began acquiring mobile home parks. Hundreds of millions of mobile home parks have changed hands in the last 24 months. Demand for mobile homes in many parks averages 100 in-coming sales calls per week. There have been articles on mobile home parks in USA Today, the BBC News and The Wall Street Journal over the past 60 days. So what is going on in this sector?

The decline of the American economy has become a safe bet

When the bubble burst in 2007, nobody knew if the economic collapse was a blip or a trend. It is now apparent that the U.S. economy – after a nearly 7-year recession – is no longer on a short-term decline. Now that everyone is in agreement that this fall will not bounce, investors have been searching for an industry that actually produces stronger results as the U.S. economy unravels. Mobile home parks were built as affordable housing, and the worse things get, the more customers need this form or shelter.

You can't fight the demographics of the Baby Boom

There are 10,000 baby boomers per day retiring in the U.S. And they are far from the wealthy group that some may think. The average baby boomer – defined as those born between 1946 and 1964 – will receive only \$14,400 per year in social security and have virtually no savings or pensions. As a result, this giant demographic will be downsizing into housing that they can afford, and mobile home parks are one of the top options. A mobile home park is one of the few places on earth that you can live comfortably on \$1,200 per month.

Class-C apartments continue to decline

Much of the demand for mobile home parks is a result of the continual decline in Class-C apartments. This is the only other form of housing that can be deemed "affordable", but it is getting more of an adjective of "terrible". As these aging complexes fall apart, they offer the tenant only broken toilets and detaching balconies. And that does not include the noise of neighbors on all sides and criminal activity in the common areas. Not the type of place the average American would want to reside.

Awareness of the mobile home park niche is accelerating

Some of the top investors in the U.S. are part of the mobile home industry. Warren Buffet is the largest owner of mobile home manufacturing and financing. Sam Zell is the largest owner of mobile home parks. And now the largest private equity group – The Carlyle Group – is getting into the action. This is making more mainstream investors aware of the high yields this sector produces. And that is bringing greater demand from an investment perspective.

Conclusion

Affordable housing and mobile home parks go hand-in-hand. And, unless Obama can pull a rabbit out of his hat, the future of mobile home parks is extremely bright. Who would have ever thought that those ugly duckling trailers would become such a beautiful swan in the eyes of investors?

wFrank Rolfe has been a manufactured home community owner for almost two decades, and currently ranks as part of the 17th largest community owner in the United States, with more than 9,000 lots in 17 states in the Great Plains and

Midwest. His books and courses on community acquisitions and management are the top-selling ones in the industry. To learn more about Frank's views on the manufactured home

community industry visit www.MobileHomeUniversity.com.

<http://www.nuwireinvestor.com/articles/whats-causing-the-skyrocketing-demand-for-mobile-home-parks-61345.aspx>

Mobile home owners face more than double rent increase

By Jane Northrop, Pacifica Tribune, Posted: 11/05/2013 05:04:54 PM PST | Updated: about 19 hours ago

The people who own their mobile homes at Pacific Skies Estates face a rent increase that would more than double their rent, in most cases.

Pacific Skies Estates at 1300 Palmetto Avenue has a total of 93 mobile homes, 78 are rented by the park and the remaining 15 are owned by individuals.

Because of a Pacifica rent control ordinance enacted in 1991 for those homeowners, the park owner must hold an administrative hearing through the city's planning department to determine if the increase is justified. The request would raise the rent on 15 homeowners by \$1119.58 per space per month on top of the approximately \$800-\$1300 a month they are currently paying for a total of at least \$1900. Some of the homeowners, John Nardello, Carmen DelaBarre and Debra Mallan, who have been there for decades, said they could not afford such an increase. They are month to month tenants without a lease and therefore could face almost immediate eviction.

"It's economic warfare," said home owner Debra Mallan.

The park owner justifies the request for the increase based on costly improvements to the park, including a \$1.5 million revetment, a new fence and landscaping and plans to upgrade all the utilities in the park, beginning with the sewer work going on now.

Planning Director George White appointed on Oct. 25 retired Judge David Garcia of Judicial Arbitration and Mediation Services (JAMS) as the hearing officer for the application. The date for the hearing has not yet been set. Assistant planner Christina Horrisberger explained the role of the planning department.

"The owner of the Pacific Skies Estates mobile home park submitted an application for rent increase to the city of Pacifica on October 7, 2013. As required under the City's Rent Stabilization Regulations, the city confirmed that the application materials were complete and notified affected residents that it had been filed. Under the Rent Stabilization Regulations, there is no involvement of the City Council in the evaluation of the application. Rather, the Rent Stabilization Regulations require the city to appoint a hearing officer to consider and render a decision upon the application."

When asked if the city attorney was going to defend or discuss the city's ordinance at the hearing, Michelle Kenyon, Pacifica city attorney, said, "Pacific Skies Estates is not suing to invalidate or otherwise attack the city's Rent Stabilization

Regulations. If it were, the city attorney would defend the city (and the Rent Stabilization Regulations) in that suit. Since no challenge of the regulations is occurring, the city attorney's office has no role to play in the hearing."

Mark Alpert, attorney for Pacific Skies, in a brief supporting the rent increase, detailed how much the park owners have recently invested to improve the park.

"The brief outlines the tremendous investment by the owners in enhancing the value of the park and the expenses that they faced in operating that kind of a project. They are constitutionally guaranteed a fair return," he said.

Carol McDermott, founder and principal, Entitlement Advisors, LLC, is working for the owners of Pacific Skies Estates to facilitate the repair work permits and construction. McDermott wrote a letter to all the homeowners who faced a rent increase requesting a meeting to discuss possible solutions before the rent increase.

"We have residents who don't have adequate electrical service," she said. "That work started to justify a rent increase. Waterfront living is a treat and a privilege, one that requires a reasonable rent. We are working toward a fair return. The only way we can adjust market rates on the homeowners is to open a hearing process. They have had the benefit of under market rent for years. We have systematically over the last 20 years purchased homes that were derelict, and we have moved new homes into the park. We are trying to work with them on a case by case basis to help them stay in the park. Some of the locations of the homes may have to be adjusted with the new sewer and gas lines," she said.

As a condition to the approval of the revetment, the California Coastal Commission requires the row of homes closest to the bluff moved to a safer location, she said. The area near the bluff will be maintained as a walking trail.

Asked why the improvements and the infrastructure repairs are going on now, she replied the park owner brought in new partners four years ago with an eye toward making these upgrades.

"It's a long term process," McDermott said.

But the home owners pointed to ongoing maintenance problems they feel had been ignored for years.

"They let it get run down," said home owner Ralph Frost. "The infrastructure repairs were needed 20 years ago. They haven't done anything for years."

Mallan said they haven't had ongoing maintenance done to the seawall, only emergency permitting. Other areas of the park

have gone lacking for care.

“Why does it take three months to replace a lightbulb?” she asked.

Frost lamented the loss of many of the common areas of the park. There’s a recreation room and a library that turned into a locked storage area. A raised former shuffleboard court that is nothing but a “trip hazard.” A swimming pool that has become user-maintained with outdated rest rooms with slippery floors. He’s worried the new plans for the park might remove even more of the common areas and do nothing to improve or restore the amenities.

He and some of the other residents complained there’s no security lighting and no lights at all at night. Frost suggested a monthly maintenance charge levied to all would go a long way to make needed repairs, instead of this rent increase.

The attractiveness of the new fence is a matter of opinion. Some find it attractive, while others said it gives them less privacy. The old fence was higher.

The home owners said if they choose to sell their homes, they are not allowed to sell to anyone besides Pacific Skies. The value of the homes is between \$80,000-\$100,000 and they are all well maintained.

“We were suspicious,” said home owner John Nardello. “They have reneged on deals in the past. When we got the letter about the rent increase, we felt ambushed. Many of the tenants have been there for 30 years.”

This is the first time in 13 years the rent control ordinance will be challenged.

“This is adding stress to people’s lives,” said homeowner Donald Pray.

In 1991, City Council wanted to find a way to protect these homeowners against exorbitant increases to their rent, said then City Councilmember Peter Loeb.

“A rent increase of \$1,100 per month is excessive. This is exactly the reason we adopted the mobile home park rent control ordinance in the first place, to prevent this kind of

exploitative rent increase. The mobile home park has the tenants between a rock and a hard place. They own their mobile homes but they rent the space their homes sit on. If the rent is increased far beyond what the tenants can pay, they are forced to sell their home. But there is no market for the home without the space it sits on and the park controls the space rentals, so the mobile home owners are at the mercy of the park owner. They either have to sell their homes at a big loss or pay the huge rent increase. The ordinance says what the allowable rent increase can be. The law is there for a reason. The park owner should abide by the law,” Loeb said.

The rent control ordinance was also a way to preserve affordable housing in Pacifica, said then City Councilmember Ginny Jaquith.

“This ordinance was put in place back in the early ‘90s to insure affordable housing and provide rent stabilization for those living in mobile home parks in Pacifica. The ordinance was well written and laid out a fair rate of return for park owners. To change this now seriously impacts affordable housing in Pacifica and make no sense,” Jaquith said.

The homeowners have scrapped together enough funds to retain an attorney, William Constantine of Santa Cruz, to review Alpert’s brief, but not enough to represent them at the hearing. They would also like the services of a CPA to review financial material.

“We hope to get some sympathy out there with the people of Pacifica. I’m hoping someone will step forward pro bono and speak in our defense and say, ‘this is ludicrous.’ We hope the city will stand behind the current rent control ordinance that is supposed to be 75 percent of CPI. They have an attorney and a CPA and researchers behind them. There is no way we can fight these people. We don’t want to be forced out and we don’t want to sell out,” said Mallan.

Anyone wishing more information may email Mallan at mallan.debra@gmail.com or McDermott at carol@eallc1.com.

http://www.mercurynews.com/pacifica/ci_24461379/mobile-home-owners-face-more-than-double-rent

Arroyo Grande Mobile Home Park Residents Fight Conversion

Posted: Nov 05, 2013, By Keith Carls

ARROYO GRANDE - Jeff and Cathy McAlister have called their spectacular view of the Pismo Coastline home for the past several years.

But now the McAlisters, and their neighbors in the Mesa Dunes Mobile Home Park on Highway One in Arroyo Grande face an uncertain future.

Park owners have informed the residents they are seeking a conversion from space rentals to resident-owned lots.

“Today, we don’t know how much our lot price is going to

be”, Cathy McAlister says, “we’ve been asked to commit to be either in favor of conversion or against.”

As with most mobile home parks, the McAlisters own the mobile home they live in but rent the lot on which it sits.

They claim the planned conversion is fueling a selling spree by neighbors in the park fearing inflated lot prices will devalue their mobile homes.

“If we can’t afford the lot, we will go to sell the house”, Jeff McAlister says, “the people that buy the house, buy the lot you’re looking at the price of the house at \$150,000, and

\$250,000 for the lot, that's \$400,000, you can't sell a mobile home in this area for \$400,000."

The McAlisters are calling on a new survey park residents and fair appraisal of lot values saying they and others could find themselves priced out of what they thought would be home for the rest of their lives.

"It is affordable housing in this community, to give all ages, or low income, rent control", Jeff McAlister says, "people who are on fixed incomes, an opportunity to live in a place with the

amenities here locally, this is their castle."

Effective Jan. 1, 2014, California Senate Bill 510 authorizes local governments to disapprove of conversion of mobile home parks to resident ownership if the required survey of park residents does not show a majority of them support the conversion.

<http://www.kcoy.com/story/23887319/mobile-home-park-residents-fight-conversion> mail: wconstantinesantacruz@gmail.com

Letter to Conversion Supporter

August 9, 2013 Sent via US Mail and E-mailed to jwycoff@me.com

Joyce Wycoff

765 Mesa Dr. No. 210

Arroyo Grande, CA 93420

Re: Your letter of July 31, 2013 responding to my letter to July 26, 2013 - letter to Richard Close regarding the proposed conversion of Mesa Dunes Estates Manufactured Home Park, Arroyo Grande, to a resident owned condominium subdivision.

Dear Ms. Wycoff:

I find it very curious and notable that rather than Mr. Close or anyone else from the Law Firm of Gilchrist & Rutter responding to my letter of July 26, 2013 to them, that you responded to it and posted your response on your Park owner's conversion blog. It also appears that someone from Gilchrist & Rutter either ghost wrote that letter or helped you write since it is full of phrases that they often use in their promotion of conversions. In that regard, a week has now gone by and I have not received any reply from either your Park owner or from his attorneys to my July 26, 2013 - letter, except for your July 31, 2013 - letter, and I stand by the accuracy of all of my statements in my letter as I will explain to you below.

I also note that your letter ignores 90 percent of the points that my letter makes and then states that you disagree with two of them, which you misstate. The clear point of my July 26, 2013 - letter was that the homeowners should be given much more time to obtain legal advice and educate themselves about the proposed conversion before being required to participate in the resident support survey ballot. They were only given one week before that balloting began! In that regard, you disagree with my letter that the residents were "required" to attend the Gilchrist & Rutter meetings, if they wanted information on the conversion before voting on it, simply because Susy Forbath told them that they could also telephone her for information if they missed those meetings. However, the truth is that those meetings were held just one week before the resident support survey balloting began and when Sharon McMahan asked

for more time for the Homeowners' Association's Board to meet, obtain legal advice and study the issues, Ms. Forbath told them "no" and gave them no choice regarding when that balloting would begin. So I stand by my conclusion that the residents were "required" to attend those meetings if they wanted information about the conversion before they were required to vote on it.

Your letter also states that it was wrong for my letter to state that "Ms. Forbath further misled the residents.." without finishing that quote from my letter, which in full stated:

'Ms. Forbath further misled the residents by telling them that the "support survey doesn't mean anything" and "was just formality," even though she clearly knew that, under either the Chino MHC or Goldstone decisions, her statement was certainly not true and that the results of the balloting would determine whether or not the conversion would go through.' See para. 2 of p. 2 of July 26, 2013 - Constantine to Close letter.

I challenge you or anyone from the law firm of Gilchrist & Rutter to demonstrate why that statement is not true? Given that occurrence, and the other actions that I complain of in my letter, it was certainly reasonable for my July 26, 2013-letter to conclude that those actions:

"The above clearly represents a carefully orchestrated scheme that was intended to deprive the Association of any opportunity of obtaining the assistance legal counsel to help them review the ballots, advise them on balloting process and on their rights under Section 66427.5(d) and was also intended to deprive them of the any real input into the contents of the ballots or the balloting procedures rather than being a legitimate attempt to comply with the requirements of Section 66427.5(d)(2)." See para. 2 of p. 3 of July 26, 2013 - Constantine to Close letter.

Again, rather than quoting the above full sentence that you objected to from my letter, you selectively quote only a fifth of it and you quote it out of context. The context of the above conclusion was that when it refers to "The above clearly represents..", it is referring to Ms. Forbath's above statement that the results of the survey do not matter combined with

your Park owner's beginning the balloting only seven days after Ms. Forbath's informational talks and her refusal to give the HOA's Board more time to obtain legal advice and study the conversion issue before commencing the balloting after being requested to do so by Sharon McMahan. See para. 4 of p. 4 to para. 1 of page 3 of July 26, 2013 - Constantine to Close letter. In that regard, I again challenge you or anyone from the Law Firm of Gilchrist & Rutter to demonstrate why that conclusion is not absolutely true.

Your letter also claims that the Mesa Dunes Homeowners Association is merely a "social club without any authority," after admitting that you are not even a member. In that regard, the Association is an incorporated nonprofit California corporation, with 130 current dues paying members, that actually has been the named plaintiff into successful lawsuits against your park owner. Clearly, that makes them more than just a "social club without any authority." Under Government Code Section 66427.5(d)(2) they clearly qualify as an "independent from your park owner" - "resident homeowners' association. that your park owner was required to have first obtained a legitimate written agreement from before conducting the resident support survey balloting in your Park:

"The survey of support shall be conducted in accordance with an agreement between the subdivider and a resident homeowners' association, if any, that is independent of the subdivider or mobilehome park owner." See Government Code Section 66427.5(d)(2)

Rather than arguing with you regarding your above misquotations and misstatements of the facts, the real issue that we should be discussing is that, if your park owner really wanted the homeowners to be fully informed about their choices and to allow them to make their choice without being "filled with emotion and fear," then he and his attorneys would certainly have given them more than one week to explore the full ramifications of his proposed conversion and to seek adequate legal advice and that is what my July 26, 2013 - letter is asking him to do.

Apparently, your park owner still does not want that to happen because the Gilchrist & Rutter Law Firm has not responded to my invitation to conduct a new resident support survey ballot in a manner that gives the homeowners in your Park sufficient time to educate themselves.

It is not my intent to get into a debate with you, your park owner or his attorneys in this letter regarding the manner in which the resident support survey balloting should have been conducted or the benefits and drawbacks of his proposed conversion. In that regard, I will be helping the Homeowners' Association explore those issues and I invite you and the Park Owner to evaluate and respond to any of the materials that we put out on the conversion and for the Park owner and his attorneys to directly respond to my letters rather than giving them to a surrogate to respond to.

I also invite your Park owner to provide some type of

guaranteed assurance to the homeowners of what the prices of the lots are going to be before a new and legitimate resident support survey ballot is conducted. If those prices are fair, then both myself and the Homeowners Association would certainly support the conversion. However, refusing to disclose those prices and giving the homeowners only one week to educate themselves before the park owner's attempted resident support survey balloting began does, in fact, give the strong appearance of being a "scheme" to railroad the conversion through regardless of your unhappiness with my choice of the word "scheme" to describe that occurrence.

Regardless of your letter's above other inaccuracies, what is most disturbing about your letter is that it appears to be an attack on me intending to convince residents not to utilize my services or to contribute to the Homeowners' Association to help pay for them.

You are certainly entitled to express that opinion. However, you are not entitled to fabricate clear falsehoods to support that opinion. In that regard, your letter falsely accuses me of having a "website" that you believe "looks more like a soapbox than a professional, information providing website." You then accuse me of "encouragement for readers to use expletives when expressing their opinions to the Governor" and you cite a very offensive statement to the former governor from someone else's website and accuse me of making it. You then accused me of using this "go to war" - website to help me "rack up more legal fees." Those accusations are outrageous and strongly appear to be attempting to interfere with my professional representation of my clients and to cause me to lose business. Those accusations are an irresponsible fabrication because I do not even have a website and it is outrageous that you would attribute someone else's website, which I have no control over, to me in a letter that you post on a pro-conversion blog, apparently to attempt to influence other homeowners in your Park to not contribute to help pay for my services and to discredit my credibility and Mesa Dunes Homeowners' Associations' credibility regarding the conversion. Accordingly, I must demand that you immediately remove that letter from that blog and then post both this letter and a letter of apology admitting that you made a mistake in claiming that it was my website and that I made those offensive statements when both of those claims are clearly not true and you had no reasonable basis for making them.

I hope that your Park owner, through his attorneys, will now respond to my July 26, 2013 - letter directly and that Your park owner will agree to conduct a new and legitimate resident support survey ballot in a manner that gives the residents time to explore and consider all points of view on his proposed conversion rather than just the information provided to them by Gilchrist & Rutter. Certainly, they should have been given more than one week to do that.

Yours truly, William J. Constantine

cc: clients Richard Close at Gilchrist & Rutter

Supervisors direct staff to study senior mobile home park rent control initiative's potential impacts

Wednesday, 06 November 2013 02:27 Elizabeth Larson

LAKEPORT, Calif. – The Board of Supervisors on Tuesday ordered several county department heads to bring back a report next month on the potential impacts of a senior mobile home park rent control ordinance.

The board voted 3-2 to direct reports from the County Counsel's Office, Community Development, Economic Development and Social Services be brought back by the Tuesday, Dec. 3 meeting, in order for the board to make a decision by the Dec. 10 deadline.

At that time, the board will consider its options – including whether to accept the initiative as an ordinance or to place it before county voters next June.

Supervisor Anthony Farrington and Denise Rushing, however, voted against ordering the reports, concluding that the additional information was unlikely to change their minds about putting it on the county ballot.

The group "Save Our Seniors" collected more than 2,500 valid signatures from county voters to qualify the measure for the June 2014 ballot, as Lake County News has reported.

The initiative defines a senior mobile home park as one where 80 percent of the homes have at least one person over age 55; rolls back rents to Jan. 1, 2012; and requires that rent hikes be based on the percent of Social Security benefit increases.

A similar initiative will be decided in Lakeport's next municipal election in November 2014.

Board members on Tuesday voiced concerns about legal challenges, which park owners already have hinted are on the horizon.

"Litigation is always a possibility with these things," said County Counsel Anita Grant, who added that she needed time to analyze the document and make recommendations on the board's options.

The review, she added, is "more to inform your board as to whether the ordinance as presented is legally sufficient."

One of the initiative's proponents, Nelson Strasser, urged the board to let the voters decide. He said 100 communities across California have adopted rent control for mobile home parks.

He said park owners are continuing to raise rents and

squeeze seniors. "We're going to continue to get poorer and poorer if we don't have some kind of rent control ordinance inhibiting this curve."

Mary Ann McQueen, who along with husband Jerry owns Northport Trailer Resort outside of Lakeport, said the Lakeport city attorney had identified legal issues with the city's initiative, yet the council chose to put it on the ballot. She encouraged the supervisors to neither put the initiative on the ballot nor accept it.

McQueen said park owners have indicated a willingness to work on long-term leases with tenants. Such a lease was created in a county process several years ago in which McQueen took part.

However, Save Ours Seniors members Heather Powers said that lease does nothing for homeowners, and protects park owners only.

Powers suggested that, with Lake County's large retiree population, senior mobile home rent control will benefit economic development and growth.

Doug Johnson of the Western Manufactured Home Community Association, referring to legal advice given to the Lakeport City Council by its attorney, said there is the option of not putting the initiative on the ballot based on the belief that it's unconstitutional.

Johnson said there are many problems with the initiative, but the main issue is there is no mechanism for park owners to seek a fair rate of return.

Farrington supported simply turning the matter over to voters and, ultimately, letting the courts decide if the initiative is constitutional or not.

Supervisor Rob Brown moved to seek the reports from the county departments, with Supervisor Jim Comstock seconding. Board Chair Jeff Smith joined them in voting for the reports, with Farrington and Rushing voting no.

Email Elizabeth Larson at el Larson@lakeconews.com. Follow her on Twitter, @ERLarson, or Lake County News, @LakeCoNews.

http://www.lakeconews.com/index.php?option=com_content&view=article&id=33881:supervisors-direct-staff-to-study-senior-mobile-home-park-rent-control-initiatives-potential-impacts&catid=1:latest-&Itemid=197

St. Helena modular housing proposal

Kelly Doren/Register

The owners of Hall Wines have plans to redevelop the old Vineland Vista Mobile Home Park just south of St. Helena, and build new modular homes at the site off Highway 29.

The Napa County Planning Department has received an application for a use-permit modification for the project, Deputy Planning Director John McDowell told the commission last week.

McDowell said the project will require the Board of Supervisors to amend a decades-old county ordinance regulating mobile home parks in the unincorporated area, which is necessary to bring the ordinance in line with more modern state laws.

That's likely to happen at a meeting in November, and would be the first step in the redevelopment project. The ordinance hasn't been changed in 40 years, said Tom Carey, a land-use attorney working on the project.

Carey told the planning commissioners that the goal is to bring the park up to modern standards, and he called the changes that have occurred in modular home design over the last several years "quite impressive."

"It's bringing this park into the modern era," Carey said.

McDowell said in a phone message Friday that the use permit allows for 15 modular homes at the site, as well as for three RVs. He said the developers haven't told the county whether the homes would be market-rate or affordable housing. Carey didn't return a phone call seeking comment Friday.

Hall purchased the 18-space park in 2008 and subsequently

announced plans to close it until it could be redeveloped.

Some tenants in the park sued to stop the closure in 2010, but the lawsuit was settled in 2012. Hall reached agreements with the other tenants to move out.

Carey and McDowell said they wanted to give the commissioners advance notice of the project, due to the proposed ordinance change and because of any potential controversy. Commission Chairman Terry Scott said neighbors to the south on Inglewood Avenue have been vocal with their opinions and concerns about the site's use.

While the park is surrounded by wineries and agricultural land, the land it sits on has planned development zoning, McDowell said. That means the project can modify the property's existing use permit in redeveloping the site, he said. Commissioner Heather Phillips noted that the city of St. Helena has expressed great interest in the park in the past, and asked McDowell if city officials would be involved in the planning process. He said they would, as the developers would rely on the city to provide water to the park.

Commissioner Bob Fiddaman said he wanted to see architectural depictions of the proposed park's design, with as much detail as possible, to determine if it's in keeping with the Napa Valley's character.

"It's very helpful to have some pretty pictures," Fiddaman said. "Anybody who gets involved in this wants to make sure that what's going to be done is a credit to the Napa Valley."

http://napavalleyregister.com/news/local/hall-wines-owners-seek-modular-homes-near-st-helena/article_6101d3d0-395d-11e3-ac62-0019bb2963f4.html

Hermosa Beach mobile home residents celebrate impending property ownership

By Sandy Mazza, Daily Breeze

Posted: 10/18/13, 11:11 PM PDT |

Residents of a small beachfront mobile home park will achieve a long-fought goal on Tuesday, when escrow is expected to close on their purchase of the Marineland Mobilehome Park in Hermosa Beach.

The 60-unit park built in 1950 was family-owned until it was sold in 2004 to Millennium Housing, a nonprofit affordable housing management company. Three years later, the park's homeowners — who were renting the lots beneath and directly around their homes from Millennium

— decided they wanted to convert the entire park to resident ownership, similar to a condominium building.

By becoming landowners — rather than just owners of quickly depreciating mobile homes — residents will have an investment in prime property at 531 Pier Ave., which is a walkable distance from the beach and downtown's many restaurants and shops.

"Everything is walking distance, and I like it here. I've had a good life here — my kids, too. I have good friends," said 56-year resident Ramona Birch. "It's like a big family here. We all know each other and we all look after each other. It's

very nice.”

Birch decided to purchase the land as an investment and she plans to live out her days in the park.

“I debated (the buy-in) with my age and stuff, but I’ve been here forever ... and I don’t plan on moving. Rather than use the money on rent anyway, might as well use it on an investment,” Birch said. “I’m happy that (the sale) finally happened. I didn’t think it would.”

Mobile home park conversions became legal in 1996, giving residents a way to invest in the land where they live because, despite their names, mobile homes are rarely moved.

When the sale is finalized, the newly formed Marineland Community Association Inc. will celebrate overcoming six years of legal and bureaucratic red tape to finance the park’s \$8 million purchase from Millennium. Fifty-four of the park’s 60 residents have agreed to purchase their lots. The remaining tenants will make monthly rent payments to MCAI, a nonprofit formed by the homeowners to facilitate the conversion.

All residents will continue to pay a monthly assessment, similar to homeowners association dues, of \$430 per month, in addition to monthly mortgage payments on the loan.

Since April 2007, The Loftin Firm has assisted the Marineland association as consultants, working closely with the five-person board of directors to sort out the sale.

Newport Pacific Capital has been selected as the new management company, and will lend about \$6 million toward the deal, and a state financing initiative called Mobilehome Park Resident Ownership Program will loan the rest, if escrow closes.

Residents paid a lot allocation subscription fee to front the money for closing, and MCAI received \$111,831 from a city grant. The money came from an account dedicated to help low- to moderate-income families afford homeownership in Hermosa Beach, and a portion of the funds were used for appraisals and other presale costs.

In the purchase agreement, residents will be responsible for paying their portion of the mortgage obtained by MCAI according to the size of their lot. Residents who do not opt in to the purchase will pay to rent space from the association.

Community Association President Janice Yates said the six-year deal took a massive amount of support from residents, board members, city officials and community members who donated time and professional services.

“The real heroes of all this are these homeowners who stuck by us and stuck by the board,” Yates said. “There’s always been a core group of support of 80 to 85 percent. And even through all the rumors and gossip and ups and

downs they’ve always stood by and helped, and that’s why we’re here today.”

In Carson, city officials are currently celebrating a court victory they hope will block attempts by a mobile home park owner in town to convert his parks. In that case, residents fought the conversion because they believed it was being used as a way to circumvent rent-control laws and spike up their rents.

Now, partially as a result of ongoing anti-conversion litigation in Carson, a new state law requires that the majority of residents must be in favor of a conversion before it can take place.

Carson City Attorney Bill Wynder said the cases in Carson were so different from the situation in Hermosa Beach because Carson mobile home park owner James Goldstein wants too much money for his properties.

“The intention of the law was that these conversions should be resident-initiated and, now, it’s down to resident supported,” Wynder said, of conversion litigation around the issue of whether park owners can force conversion on residents.

“Successful conversions have always been resident-initiated. “(Goldstein) wants an obscene amount of money for his (Carson Harbor Village Mobilehome Park). He wanted \$290,000 per space. We had about \$35 million (to offer him to buy the park) but he wanted \$40 million. Now we have five lawsuits lined up with Goldstein” because the city denied his applications for high rent increases.

Yates is thrilled that Marineland residents will be fully absorbed into the Hermosa Beach community as property owners. Residents are planning a party Nov. 16 to celebrate their new ownership and thank The Loftin Group, City Council and staff.

“It’s important to the Hermosa Beach community because, for the first time, the property is going to be owned by the people who live there, and not by a corporation,” Yates said. “We can really be a part of the community. We always were, but this will be even more so.”

<http://www.dailybreeze.com/business/20131018/hermosa-beach-mobile-home-residents-celebrate-impending-property-ownership>

WINCHESTER RANCH MOBILE HOME COMMUNITY



The historic Clubhouse with Sarah Winchester's gazebo at the entrance



The Clubhouse with Sarah Winchester's famous house visible in the background

The Story of Winchester Ranch Community and the History It Preserves

The Winchester Ranch Mobile Home Community is a modern low-cost housing community for senior citizens, which also contains a unique set of rare historical artifacts, both natural and man-made. The property itself is inextricably connected to the history and myth of Sarah Winchester, having once been an integral part of her ranch. Today it still contains structures Mrs. Winchester planned and built, as well as trees she planted. At the same time it is a vibrant modern community of wide streets, neat landscaping, and a huge variety of flowering plants, and is home to 146 senior citizens living in 108 double-wide and triple-wide manufactured homes.

This is how the park community came to be: Sarah Winchester died in 1922. In 1926, from her estate, Charles and Lelia Cali purchased 30 acres of land between her unique house and what is now Moorpark Avenue. The front part of the property nearest Winchester Road contained Sarah's gardens, including a rare Cork Oak Tree and a Speckled Elm, which are still there. The gardens also contained the caretaker's house that is now used as the clubhouse.

In the summer months, the Calis spent long hours every day operating the land as a working orchard ranch, producing prunes, walnuts, cherries and peaches. For 16 years between 1926 and 1942, the entire Cali family worked and harvested fruits at Winchester Ranch. Charles Cali worked all phases of the Ranch, cultivating the local orchards with the now landmark tractor located at the back of our park. In the Spring of 1929, the caretaker's house burned down, and Mr. Cali built a barn on its original foundation. The truck that was used to haul the boxes of fruit is showcased near the park pool beside the clubhouse.

Lelia Cali pursued her dream of owning her own family home by spending most every weekend planting and gardening at the Ranch, until one day her many hours of labor were rewarded when they finally got their own home in the park.

The establishment of the Winchester Ranch Mobile Home Community was a long and arduous process. Lelia Cali created their first home by remodeling the apartment over the clubhouse. On the deck of the apartment she added an English garden with flowers, boxwood hedges, and a gazebo she found while visiting New Orleans. There was nothing more beautiful and peaceful than sitting on the garden deck in the Spring when the trees surrounding them were in full bloom. Even after the construction of the Valley Fair mall, the Calis enjoyed their little piece of paradise in their secluded Winchester Ranch retreat. However, in 1962, the state, by eminent domain, took a large strip down the middle of the property, destroying the beauty and peace of the Ranch. The view from their deck now included a myriad of cars speeding up and down I-280.

After being bisected by I-280, the farm was now no longer

profitable, and it was decided at a family meeting in 1974 that it would be put up for sale. For one year there were no offers or interest, until a call came from a family friend with the idea of leasing the land for a mobile home park. The Calis were receptive to preserving the integrity of the remaining 16 acres of the Ranch by turning it into a luxurious mobile home community. Being on the outskirts of the city and close to the shopping mall made it an ideal location.

Mark Cali, son of Charles and Lelia Cali, determined that he himself would proceed with the plan to develop the property, not knowing how involved and stressful it would become.

From the very beginning, the Calis planned to develop a unique one-of-kind mobile home park. To become familiar with the actual development and operation of a mobile home park, they visited other parks on weekends and holidays. They decided that certain elements would not be included on the exterior of the homes at Winchester Ranch; only wood would be used in railings, porches and facial boards. They created a "closed" park policy, meaning that only the developer could place the mobile homes in the park, and other dealers were prohibited from selling homes for placement in the newly planned development.

In preparation for the formal hearing before the Planning Commission and the San Jose City Council, Mark arranged for numerous neighborhood meetings to discuss the proposed project. By using his good salesmanship abilities, Mark obtained an overwhelming approval from the neighbors, and they supported him and the project by attending the council meetings during the early stages of the project. The park was finally approved in April, 1975. After weeks of arrangements for financing, planning and developing the mobile home community, ground was broken on July 16, 1976.

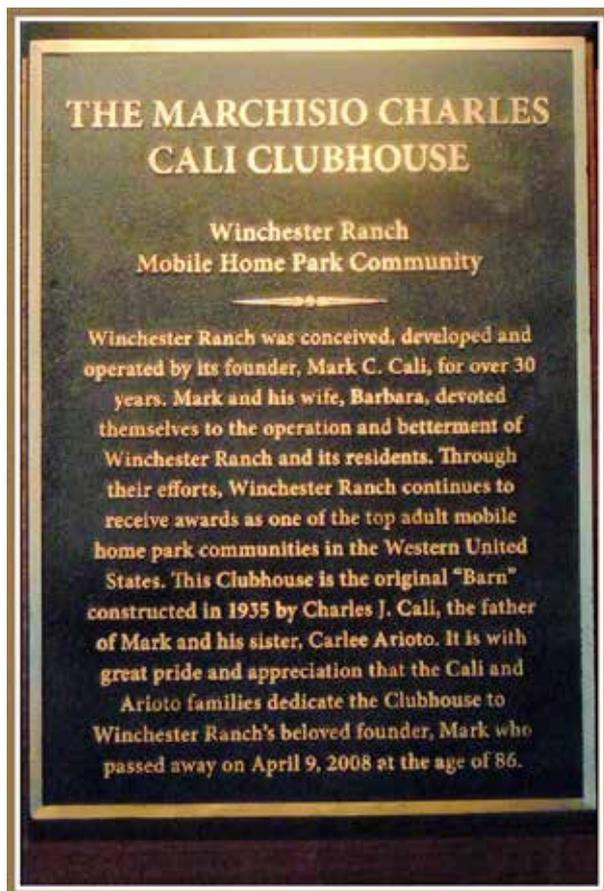
Everything already in the ranch was made useable as much as was possible to preserve the historical aspects of the park. A few small buildings had to be torn down, and that wood was later used in the Clubhouse. The Clubhouse is said to have been constructed without a single power tool. It contained many artifacts that had been collected since 1926, such as: blue glass canning jars with pewter lids; kitchen items used in the canning process; wicker demijohns used for storing homemade wine; and an elaborate framed shadow box decorated with a dove with a gold ring in its mouth. There still many historic items located all over the Ranch which add to its uniqueness and beauty. The Grand Gala opening of the park was in June of 1977. The park officially became "an elder persons" park in 1990.

Our neighbors include the residents of the blocks immediately to our north and west, plus the Winchester Mystery House, the

Winchester Theatres, the Westfield Valley Fair Mall and Santana Row, We are located in the center of the “new San Jose”. Every day we realize how fortunate we are to live in a beautiful, tranquil, safe and friendly environment. We want nothing more than to be allowed to continue.

We hope that the following photos will help you to visualize the unique history of Winchester Ranch Community.

We dedicate this booklet to Mark and Barbara Cali, without whom none of us would have this beautiful place to live.



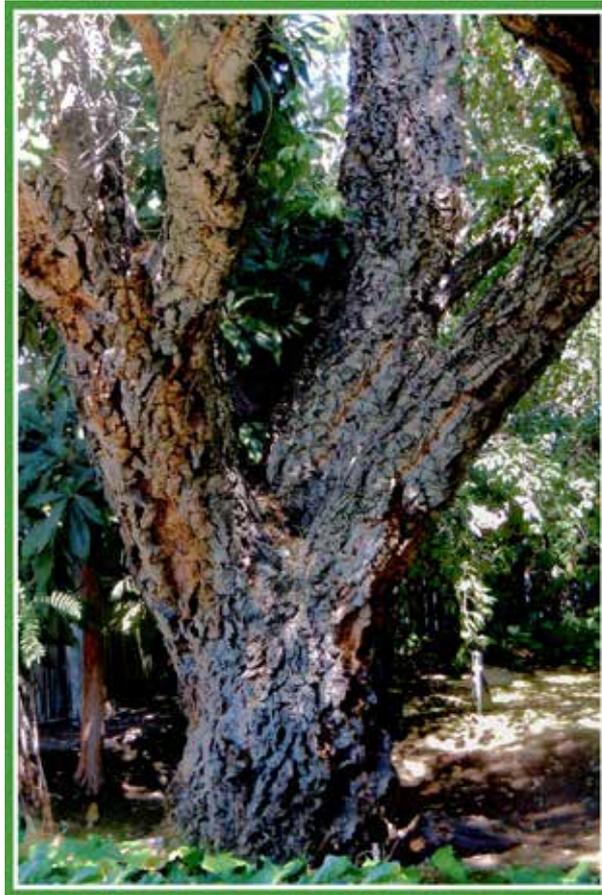
This is the rebuilt Clubhouse, with the second floor apartment where the Calis lived in the earliest years of the farm.



Sarah Winchester planted this speckled elm in her garden; it is now at the Winchester Blvd. entrance to the park. It is one of the earliest elm trees planted in the Santa Clara valley, and is estimated to be 125 years old.



More of the tools used during the operation of the Cali orchards are displayed on the Clubhouse walls.



It is believed that Mrs. Winchester had this cork oak tree imported to the U.S. from Spain in the 1890s. It stands near the Winchester Blvd. entrance to the park, and is one of only two known cork oaks in Santa Clara County.



This is a close-up of the cork oak, a rare and beautiful tree.



This is one of two gazebos which were originally located on Mrs. Winchester's property to cover her septic tanks. When Charles Cali bought his acreage from her, he negotiated to take the gazebos to use on the farm. This one is at the entrance to the clubhouse grounds.



This is the Clubhouse gazebo as seen from inside the grounds.



This is the second of Mrs. Winchester's gazebos, which now covers the hot tub at the Clubhouse swimming pool.

San Jose Mobilehome Owners Under Siege

All of you devoted readers of Mobile Home Magazine saw the October article that was titled "California Residents Under Siege". Who would have ever thought that the Golden State would suddenly become tarnished.

I live in San Jose, Ca. We too are under siege. Our particular villain's name is "Urban Village" and greed. Our once sleepy farming community is trying to grow up and be like San Francisco. At least that is what our Planning commission is telling us. We want to have less parking, build large buildings where you can work, eat, sleep and walk or bike to shopping.

In order to accomplish this we will have to tear down our Mobile Home Parks. These Parks were built near transit and shopping because many seniors no longer are able to drive. If they are senior Parks they also are under rent control and the owners can't overcharge. If we are sold to a developer and he comes in and builds expensive condos, guess what? More tax money for the city coffers. The little nit is none of the seniors that called this home can buy an expensive condo.

What happens to the seniors who have nice homes in the Park? No one but the seniors seem to care. Most live on social security only, which puts them in the poverty category. Even the ones who have social security plus a pension do not have the money to go and start all over again. Most people over the years have made their houses to fit their lifestyle. People with disabilities have fixed their homes to enable them to live full and productive lives. People who are in their 80's 90's often do not have family any longer to help them.

FIGHT BACK

What is the answer to the owners/developers who want to take our homes? Fight back, let's band together by using these forums such as Mobilehome Magazine to find others. We can be powerful if we all band together. We can fight City Hall. I know if you are willing to stand up for me, I am more than willing to stand up for you. We are voters who actually take pride in voting. The Mayors, City Council, Senators and Legislators need us and want our votes. We just need to make sure they earn our votes.

Let's not become casualties in the war to remove affordable housing for profit. Let's not become refugee's at the mercy of family or friends. Let's make a stand together. Let's say 'Owner if you are tired of running this Park then sell it to us'. You will make a reasonable profit and still be able to sleep at night knowing you did not put an elderly person at risk. San Jose wake up. Are you tired of being held hostage in your own homes. San Jose Mobile Home Parks need to grow up and join together to protect one another. We see one Park after another where the owners want to sell out and make some big bucks or get rid of the rent control. One Park had to fight a 33% rent increase. We have another Park who is fighting to keep rent

control. Our Park is fighting zoning so that we won't lose our homes.

Just think if we banded together and created an alliance of all Mobile Home Parks in San Jose. What if we became just one large voice instead of one small voice? What if we said "Hell No We Aren't Going To Take It Anymore". What if we, who are just a hundred and fifty became 3000 or 4000?

SAN JOSE ALLIANCE OF MOBILE HOMES

Join Winchester Ranch in forming the San Jose Alliance of Mobile Homes (SJAMH). We know there are 58 Mobile Home/Trailer Parks in San Jose with a total of 10,660 spaces. (Also 15 parks and 4,000 in neighboring Sunnyvale.) We know this is the answer to affordable housing. We know that we can make our politicians listen if we all stick together. In December we will host the first ever SJAMH and invite each and every one of you to come and join us in figuring out how we can best protect ourselves and each of you.

Urban Villages want to gobble us up just like the old Pac Man. We have what the developers want and the Urban Designers are selling. Most of us are close to some sort of transit, shopping, eateries, hospitals, freeways. They are wanting to do away with cars in the Village. They will cut parking by half. They will turn car lanes into bike only lanes just as they have done on Hedding and First. The premise is that you will live, eat, shop, walk, bike, bus in your village. To accomplish this feat they must get rid of the Mobile Home Parks and use that land because we are where the transit is.

We are the throw away people. We have paid taxes and contributed to the Community but we are not in the plan. Don't be held Hostage by the City Planners, Owners and Developers.

Join me in making a difference by saving our homes and keeping rent control.

Contact Phyllis Tripp, 408-247-7335, phyllistripp@comcast.net, resident of Winchester Ranch Mobile Home Community

Mari Jo wrote: Please look at our story and share it with everyone you know. I hope you will share it with everyone you know. Thank you all for taking a moment to watch and see the people really effected by the Santana two/Urban Village.

THANK YOU ALL FOR HELPING TO SHARE OUR STORY.

Your kindness and patience has paid off in what I feel is a very good video.

I hope you enjoy it. Here is the link to YouTube:

<http://youtu.be/eIHcAAVviSo>

Article by Phyllis Tripp, Winchester Ranch Mobile Home Community



The Story of Winchester Ranch Community and the History It Preserves

The Winchester Ranch Mobile Home Community is a modern low-cost housing community for senior citizens, which also contains a unique set of rare historical artifacts, both natural and man-made. The property itself is inextricably connected to the history and myth of Sarah Winchester, having once been an integral part of her ranch. Today it still contains structures Mrs. Winchester planned and built, as well as trees she planted. At the same time it is a vibrant modern community of wide streets, neat landscaping, and a huge variety of flowering plants, and is home to 146 senior citizens living in 108 double-wide and triple-wide manufactured homes.

This is how the park community came to be: Sarah Winchester died in 1922. In 1926, from her estate, Charles and Lelia Cali purchased 30 acres of land between her unique house and what is now Moorpark Avenue. The front part of the property nearest Winchester Road contained Sarah's gardens, including a rare Cork Oak Tree

and a Speckled Elm, which are still there. The gardens also contained the caretaker's house that is now used as the clubhouse.

In the summer months, the Calis spent long hours every day operating the land as a working orchard ranch, producing prunes, walnuts, cherries and peaches. For 16 years between 1926 and 1942, the entire Cali family worked and harvested fruits at Winchester Ranch. Charles Cali worked all phases of the Ranch, cultivating the local orchards with the now landmark tractor located at the back of our park. In the Spring of 1929, the caretaker's house burned down, and Mr. Cali built a barn on its original foundation. The truck that was used to haul the boxes of fruit is showcased near the park pool beside the clubhouse.

Lelia Cali pursued her dream of owning her own family home by spending most every weekend planting and gardening at the Ranch, until one day her many hours of labor were rewarded when they finally got their own home

in the park.

The establishment of the Winchester Ranch Mobile Home Community was a long and arduous process. Lelia Cali created their first home by remodeling the apartment over the clubhouse. On the deck of the apartment she added an English garden with flowers, boxwood hedges, and a gazebo she found while visiting New Orleans. There was nothing more beautiful and peaceful than sitting on the garden deck in the Spring when the trees surrounding them were in full bloom. Even after the construction of the Valley Fair mall, the Calis enjoyed their little piece of paradise in their secluded Winchester Ranch retreat. However, in 1962, the state, by eminent domain, took a large strip down the middle of the property, destroying the beauty and peace of the Ranch. The view from their deck now included a myriad of cars speeding up and down I-280.

After being bisected by I-280, the farm was now no longer profitable, and it was decided at a family meeting in 1974 that it would be put up for sale. For one year there were no offers or interest, until a call came from a family friend with the idea of leasing the land for a mobile home park. The Calis were receptive to preserving the integrity of the remaining 16 acres of the Ranch by turning it into a luxurious mobile home community. Being on the outskirts of the city and close to the shopping mall made it an ideal location.

Mark Cali, son of Charles and Lelia Cali, determined that he himself would proceed with the plan to develop the property, not knowing how involved and stressful it would become.

From the very beginning, the Calis planned to develop a unique one-of-kind mobile home park. To become familiar with the actual development and operation of a mobile home park, they visited other parks on weekends and holidays. They decided that certain elements would not be included on the exterior of the homes at Winchester Ranch; only wood would be used in railings, porches and facial boards. They created a "closed" park policy, meaning that only the developer could place the mobile homes in the park, and other dealers were prohibited from selling homes for placement in the newly planned development.

In preparation for the formal hearing before the Planning Commission and the San Jose City Council, Mark arranged for numerous neighborhood meetings to discuss the proposed project. By using his good salesmanship abilities, Mark obtained an overwhelming approval from the neighbors, and they supported him and the project by attending the council meetings during the early stages of the project. The park was finally approved in April, 1975. After weeks of

arrangements for financing, planning and developing the mobile home community, ground was broken on July 16, 1976.

Everything already in the ranch was made usable as much as was possible to preserve the historical aspects of the park. A few small buildings had to be torn down, and that wood was later used in the Clubhouse. The Clubhouse is said to have been constructed without a single power tool. It contained many artifacts that had been collected since 1926, such as: blue glass canning jars with pewter lids; kitchen items used in the canning process; wicker demijohns used for storing homemade wine; and an elaborate framed shadow box decorated with a dove with a gold ring in its mouth. There still many historic items located all over the Ranch which add to its uniqueness and beauty. The Grand Gala opening of the park was in June of 1977. The park officially became "an elder persons" park in 1990.

Our neighbors include the residents of the blocks immediately to our north and west, plus the Winchester Mystery House, the Winchester Theatres, the Westfield Valley Fair Mall and Santana Row, We are located in the center of the "new San Jose". Every day we realize how fortunate we are to live in a beautiful, tranquil, safe and friendly environment. We want nothing more than to be allowed to continue.

We hope that the following photos will help you to visualize the unique history of Winchester Ranch Community.

We dedicate this booklet to Mark and Barbara Cali, without whom none of us would have this beautiful place to live.



Gazebo over Spa

Refer to the Winchester Ranch Website at

www.WRSHOA.org for more info

The story of the attempted sale of Winchester Ranch Community:

In mid-March of 2013, residents of the Winchester Ranch inadvertently (they were not formally notified) became aware that the City Planning Commission was holding a community meeting at the Cypress Senior Center, for the purpose of obtaining community input about their Valley Fair/Santana Row Urban Village Plan. At the meeting we learned that, without the knowledge of its residents, Winchester Ranch Park had been included within the boundaries of the Urban Village. Some residents who attended the meeting became upset because they assumed that that meant the city was contemplating changes in the Park. In order to clear this up, two residents met with a representative of the Planning Commission, and discovered that the city had not originally wanted to include the Park, but only did so after a specific request by the landowner. This was the first hint that the owner was contemplating selling the land on which our homes are located.

At no time did the owner make any communication with the residents about any plans for selling, even though during this time span a number of new residents bought homes and moved into the park. It is our understanding that state law requires the landowner to notify potential purchasers if there are active plans to sell. The homeowners then discovered that the owner had published a glossy brochure in conjunction with Cornish & Carey Real Estate brokerage, soliciting offers from developers. The Board of the HOA wrote the owner asking for information about intentions to sell. That letter was never answered, so after waiting a few weeks for a reply, a second letter was sent, this time by registered mail, again asking for information, and in addition, informing the owner that if the property was for sale, the residents as a group were interested in buying it. The response came from a law firm representing the owner, stating that in fact the property was for sale and that an interested buyer was beginning the “due diligence” process. The letter further stated that the residents had no standing either to have been notified earlier or to be considered as a potential buyer. We can only assume that had we not been insistent with our registered mail letter, we would not have been notified until the sale was finalized. The owner, Cali/Arioto LLC, refused to reveal who the potential buyer is or what that buyer plans, but we have learned from another source that the buyer is Pulte Homes. We very recently were informed that the property is in escrow pending unspecified contingencies. The timing of the escrow is unknown.

Our response is an ongoing effort to persuade the City Council and the Planning Commission to deny all efforts to re-zone the property from its present “A(PD) mobile homes” to any other zoning, and to affirm that the city prefers that the land be used as it is now, as the site for the Winchester Ranch Mobile Home Community. We believe that the city’s published

plans, both in the General Plan and the Consolidated Plan, support the existence of non-subsidized affordable housing for seniors, and that we are a prime example of how that has been done successfully.

SOME BACKGROUND ON WINCHESTER RANCH COMMUNITY:

The Winchester Ranch Mobile Home Community is one of the finest examples of a seniors-only community in Santa Clara County, if not the entire state. It is located just west of the Winchester Mystery House and the Century Theaters on approximately 16 acres. It was founded in 1976 and guided through the years by Mark and Barbara Cali, until his death in 2008. It owes much of its heritage to the Sarah Winchester properties, of which its land was originally a part. It is now owned and operated by Cali/Arioto LLC, a privately owned California corporation, whose officers are Lee Arioto, president, Mark Cali Jr., vice president; Greg Arioto, secretary; and Leeann (Cali) Meeker, treasurer. The corporation is now owned and controlled by children of Mark Cali and those of his sister, who married an Arioto. The land on which the park is located is zoned by the city as Agricultural (Planned Development), which specifically allows only for the Mobile Home Park to be here.

The park is bordered on the west and north by residential areas, on the south by the sound-wall for Hwy. 280, and on the east by the Century Theaters and Mystery House areas, and Winchester Avenue. The main entrance for the community, at the west end of Olsen Drive, has an automated gate which is open during the day until 7:00 p.m., after which time it requires an electronic opener. There is a second entrance-only driveway into the community which opens off south-bound Winchester Avenue very near the on-ramp to Hwy 280, which is why no exit is allowed there. Additionally, in the perimeter fencing along the north and west boundaries, there are four emergency firetruck-only access gates which will open into the neighborhood city streets if required. Inside the park, the streets are well-kept, and each resident has developed the landscaping around his or her home to suit individual tastes. As a result, the community blossoms with a huge variety of flowers, fruit trees, and ground cover plants, adding to the pleasure of living there. There is a community clubhouse with a large swimming pool and spa, where the homeowners organize and participate in a variety of social and fitness programs. This park is a perfect example of a non-subsidized affordable housing development for senior citizens, within walking distance of most needed amenities. Some residents have no car by choice, and others no longer drive due to age or disability.

Cover Letter for Residents Stories

Dear -----,

As you know, the landowner, Cali/Arioto LLC, is in negotiations to sell Winchester Ranch Mobile Home Community to Pulte Homes as a site for development, most likely of a huge condominium complex. Such a situation can be considered from various angles, most of which involve the financial, environmental, and physical impacts of making such a change. However, it is at least equally important to make sure that the human impacts are not overlooked or minimized.

The Winchester Ranch Community is a top-class seniors-only park, with high quality wooden (not metal) houses, wide well-maintained streets, beautiful well-kept landscaping, in an established neighborhood with a complete range of amenities within walking distance for the residents. Among the homeowner/residents, there are 11 who are over 90 years old; 28 are between 80 and 90; 53 are between 70 and 80; 42 are between 60 and 70; and 13 are between 55 and 60. Four of the homeowners are helped by live-in or part-time caretakers; 37 suffer from disabilities or handicaps. Sixty of them live alone, 80 live with one other person, and there are 15 living with two others. Based upon the Santa Clara county median income standard, 28 are classified as "low income"; 31 as "very low income"; and 22 as "extremely low income". Altogether, this is 76% of the homes which are "low income" or worse. There are 24 homeowners who rely on Social Security alone for income; 62 who have Social Security and one other income source; and others who have no Social Security and rely on pensions or savings and investments. A few are still working full or part time.

The residents own their homes, and rent spaces from the landowner. These are not "mobile homes". They are double-wide and triple-wide manufactured houses, which were built in sections in a factory, and transported to their sites in 1976, where they were assembled, with the intent that they would be permanent. When someone buys a home in this type of mobile home park, there is an implicit guarantee that the arrangement is permanent. No one would spend \$100,000 to \$250,000 for a home with a constant threat that it might only be temporary. Once such manufactured homes are in place, they are not meant ever to be moved. They are as permanent as the site-built homes in the surrounding neighborhoods. Regardless of state legislation or city ordinances which purport to protect these homeowners, and which provide that the homes be "relocated", there can be no relocation. It is a physical and practical impossibility.

First, consider what is involved in moving a double-wide or triple-wide manufactured home after it has been in one

location for decades. All of the gas lines, electrical connections, air conditioners, furnaces, water heaters, telephones, internet connections, and plumbing to and from the kitchen and all of the bathrooms - all must be disconnected. The range and ovens, refrigerator, laundry machines, all of the furniture, the decorating items, books and bookshelves, and all personal possessions must be removed, and shipped separately to some new location.

After the home is empty, it must be cut apart into sections which are 10 to 12 feet high and 12-foot wide, in lengths which will fit on special flat bed trucks. This type of wide-load requires special routing and possibly a police escort. Each double-wide would create at least two truckload trips and likely more. The triple-wides would obviously require even more trips. For a park such as Winchester Ranch, with over 100 manufactured homes, this would total at least 250 truckloads of dismembered houses. And then there is the question of where to take those 250+ truckloads. Realistically, this simply cannot be done, and it never will be done. There is no vacant mobile home park waiting for 250 truck-loads of dismembered houses. There is not even a fraction of that many available spaces in all of San Jose.

Furthermore, after being forced out of one mobile home park with the approval of the city, what sane, intelligent person would trust that another mobile home park in the same city would not also soon be closed? If this top-class park is not protected, there certainly is no reason to believe that any other park would be. San Jose already has over 15,000 low-income citizens receiving Section Eight housing assistance, which is now being cut drastically, with over 30,000 on the wait list. Does it make sense to add more people to those thousands? Obviously, San Jose could not and would not help them. The displaced residents would end up scattered all over northern California, wherever they could individually find an affordable location, if they even could do so.

The truth is that when a mobile home park is closed, the houses there will be bought as they stand, and after the people have been disposed of, the homes will be bulldozed into rubbish, and hauled away to clear the land. The money spent buying those homes cuts into the profit margin of the purchasing developers, so they will offer as little as possible to the homeowners. All that is provided by the law is that the price is negotiable. Under the very best circumstances, homeowners might recover some majority of their financial investment. What is worse, there is no provision for compensation for years of effort invested in making the house a unique haven for its owners. There is no provision for compensation for loss of community, for loss of ready access to friends and neighbors, for not being allowed to have

their pets in a new location, nor for being forced to find a new doctor, a new dentist, a new hairdresser or barber, a new grocer, a new bank, a new auto mechanic, and all else of what makes up one's daily life. In the case of a senior park such as Winchester Ranch, many of the resident owners have decades of relationships with all of these. At age 70 or 80 or 90, how can they then be forced to start over somewhere else? This may be legal, but it is unjust, immoral, and unethical. It is simply wrong.

Who would knowingly treat their own mother or father, aunt or uncle, grandmother or grandfather, or any older acquaintance in this way? The homeowners of Winchester Ranch Community are all of these to someone. They also are people who have done their duty for society, and now deserve to retire in peace and safety to enjoy whatever fruits of their labors they have been able to save. They are retired military veterans, educators, nurses, social workers, construction workers, engineers, attorneys, small business owners, and represent many other occupations. Are their concerns not still important? Do they not still matter?

And it is very easy to safeguard these senior citizens,

and preserve this exemplary park for the city as non-subsidized affordable housing. All that is required is for the city to deny any change in the zoning, and to reaffirm that the city wants to preserve its existing affordable housing, including mobile home parks. It is quite simple. Where is this city's heart? What is more important to San Jose, money or people? The outcome of this matter will tell for all to see.

Please read these homeowners' stories, and hear their voices, and consider whether it is right to forcibly expel them from their retirement homes, destroy their community, and scatter them to the four winds as if they are unworthy members of society.

Sincerely,

Kent Greathouse
588 Water Witch Way
San Jose, CA 95117

(written for the homeowners of Winchester Ranch Mobile Home Community)

San Jose Must Protect Mobile Homes As Affordable Housing

The civic leaders of San Jose need to institute a moratorium on sales of mobile home parks for conversion to other uses, for whatever length of time is needed, and then use that time to reassess what the city wants with regard to mobile home parks. A special committee can be formed, made up of planning personnel, city council members, and mobile home owners and park owners, charged with gathering data, considering how mobile home parks fit into the overall picture, and making recommendations for ordinances and regulations which would enforce the desired outcome.

In its General Plan, the Consolidated Plan, and in various ordinances and other documents, the city of San Jose repeatedly states that affordable housing is one of its prime concerns. There also are numerous statements in those documents avowing support for low income citizens and for senior citizens. All of these factors come together in the reality of low-income senior citizens who live in mobile home communities in San Jose.

At present, the Winchester Ranch Mobile Home Community is being marketed by its owner, Cali/Arioto LLC, with Pulte Homes currently doing "due diligence" investigation to determine whether it will tender a firm offer for the property. Winchester Ranch Community, a gated community which was once part of Sarah Winchester's ranch, is a five-star park in a highly desirable location across Winchester Avenue from Santana Row, with 146 senior homeowners, many of whom are in their seventies,

eighties, and nineties, most with fixed low incomes from pensions, Social Security, and savings. The park has been there for 37 years, and the residents who have bought homes there over the years were led to believe that it would be there permanently. If this park is allowed to be sold and redeveloped, with the concomitant forced displacement and relocation of its elderly residents, then it will be open season on mobile home parks in San Jose – none will be safe from the developers.

The city has an ordinance dealing with mobile home park conversions, the stated purpose of which is to protect mobile-home owners and renters when parks are converted to subdivisions or to other uses than as a mobile home park. That ordinance fleshes out the state law with detailed descriptions regarding how such situations must be handled. However, from the perspective of a homeowner who is being forcefully displaced in order for some corporation to build condominiums, the help which that ordinance gives is after the fact. It does nothing to protect the plans and dreams and long-term investments of time and effort which have been put into their homes, but merely seeks to prevent the mobile home owner from being hurt too badly. The policy provides guidelines for financial assistance for homeowners who are forced either to move their homes elsewhere, or to sell them where they stand.

First, consider what is involved in moving a double-wide or triple-wide manufactured home after it

has been in one location for decades. All of the gas lines, electrical connections, air conditioners, furnaces, water heaters, telephones, internet connections, and plumbing to and from the kitchen and all of the bathrooms - all must be disconnected. The range and ovens, refrigerator, laundry machines, all of the furniture, the decorating items, books and bookshelves, and all personal possessions must be removed, and shipped separately to some new location.

After the home is empty, it must be torn apart into sections which are 10 to 12 feet high and 12-feet wide, in lengths which will fit on a special flat bed truck. This type of wide-load requires special routing and possibly a police escort. Each double-wide would create at least two truckload trips and likely more. The triple-wides would obviously require even more trips. For a park such as Winchester Ranch, with over 100 manufactured homes, this would total of at least 250 truckloads of dismembered houses. And then there is the question of where to take those 250 truckloads. Realistically, this simply cannot be done, and it never will be done. There is no empty mobile home park waiting for 250 truck-loads of dismembered houses. There is not even a fraction of that many available spaces in all of San Jose. Furthermore, after being forced out of one mobile home park with the approval of the city, what intelligent person would trust that another mobile home park in the same city would not also soon be closed? San Jose already has 18,000 low-income citizens receiving section eight housing assistance, which is now being cut drastically, with over 30,000 on the wait list, Does it make sense to add more people to those thousands? Obviously, San Jose could not help them. The displaced residents would end up scattered all over northern California, wherever they could individually find an affordable location, if they even could do so.

The truth is that when a mobile home park is closed, the houses there will be bought as they stand, and after the people have been disposed of, the homes will be bulldozed into rubbish, and hauled away. Any money spent on those homes cuts into the profit margin of the purchasing developers, and they will offer the bare minimum to the homeowners. All that is provided by the law is that the price is negotiable. Under the very best circumstances, homeowners might recover some majority of their financial investment. There is no provision for compensation for years of effort invested in making the house a unique haven for its owners. There is no provision for compensation for loss of community, for loss of ready access to friends and neighbors, for not being allowed to have their pet in a new location, nor for being forced to find a new doctor, a new dentist, a new hairdresser or barber, a new grocer, a new bank, a new auto mechanic, and all else of what makes up one's daily life. In the case of a senior park such as Winchester Ranch, many of the resident owners have decades of relationship with all

of these. At age 70 or 80 or 90, how can they then be forced to start over somewhere else? This may be legal, but it is unjust, immoral, and unethical. It is simply wrong.

San Jose should be proactive, and take steps to deal with this looming problem. With developable land becoming more and more difficult to find within San Jose, there will be ever greater pressure upon the owners of mobile home park land to sell the parks for conversion to other uses such as condominiums, townhouses, apartment complexes, and mixed uses. There will be increasing pressure upon city officials to approve such sales and conversions, especially with the city budget in poor shape. However, the city must not condone nor approve ousting senior citizens and other low-income citizens from affordable housing in order potentially to reap revenues from new construction. San Jose needs to study this overall situation and make long-term policy decisions regarding the future of mobile home parks within its boundaries. If the city intends to keep mobile home occupancy as one form of affordable home ownership, it must adopt ordinances and take actions which make that a viable alternative.

The city does not appear to have a stated policy to preserve its mobile home parks as sources of affordable housing. With over 50 mobile home parks within its jurisdiction, this is a policy omission which needs to be corrected. On the other hand, if San Jose does not wish to have any mobile home parks, that policy will become obvious through the city's inaction, and all mobile home owners will eventually be cleared out of their parks. In that case, we must hope that the city has plans to take care of the approximately 25,000 citizens who are currently living in the mobile home parks. A city, like every other agency of society, will be known for how it treats its most vulnerable citizens – its young, its elders, and its low-income citizens.

Not only should all mobile home owners be concerned, but also everyone who has parents, aunts and uncles, grandparents or friends living in a mobile home park, and everyone else who is concerned that there be affordable housing, and that San Jose should be a place where senior citizens and low-income citizens are respected and allowed a life of dignity and security. If enough citizens speak out in support of affordable housing which includes mobile home parks, surely the city will respond in a positive way.

Written and submitted by Kent Greathouse, a home owner in Winchester Ranch Mobile Home Community in west San Jose.



Beyond Fear and Loathing: Unmitigated Greed Challenged by Legal Action--Part Two

Last month the plight of being subjected to exorbitant rents and an unaffordable rent increase structure at Linda Vista Village MHP (LVVMHP) in San Diego was featured in this magazine “A Tale of Unmitigated Greed, Fear and Loathing in Paradise--Part One.”

Part One described the steps taken by the LVV San Diego Homeowners Association (LVVSDHOA) to establish meaningful dialogue with our landlord to change this extremely detrimental situation. Despite our best efforts to negotiate an amicable solution, we have been rebuffed at every step by a company who has chosen instead to engage in unscrupulous business practices—raking in obscene profits above all else. This despite the fact that LVV was established as an affordable housing community for low-income persons and families.

With our backs against the wall the residents had little choice but to take legal action. It was either that or face certain economic eviction, sooner or later. Part Two of our story now continues with a summary of the legal action taken by the LVVSDHOA on behalf of the residents of LVV. It is provided by our attorney, Peter Zamoyski, Esq. of Tatro & Zamoyski, LLP, a law firm with extensive experience in mobilehome park litigation. The LVVSDHOA retained Mr. Zamoyski and his firm in November of 2012.

(From Mr. Zamoyski): Our law firm learned in late 2012 that ever since 1980, the park owners and operators of the Linda Vista Village mobilehome park were collecting rents from homeowners and residents pursuant to a Master Lease that is void because it violates the San Diego City Charter. The City Charter is akin to the City’s constitution. Our law firm filed a class action lawsuit against both the park’s landlord and the landowner—the City of San Diego—seeking a judicial determination that the Master Lease is void. Why did we seek to get that Master Lease torn up and set aside? Because of the damage it is causing

to homeowners—mandatory *minimum* 5% annual rent increases regardless of actual inflation. For example, last year rent went up 5% automatically even though inflation rose less than 1%!

So, every year, under the constitutionally invalid Master Lease, the park owner has raised space rent on the homeowners—many of whom are senior citizens on fixed incomes. And year after year, those 5% increases have been compounding and ballooning out of control. Today, space rent is now so far above all applicable cost of living indexes for inflation that many homeowners have already been constructively evicted from the Park. Our expert economist estimated that in the last 5 years alone, the mandatory 5% rent increase has cost each homeowner more than \$19,500 in extra rent!

Earlier in 2013, a judge of the San Diego Superior Court agreed with our legal position and granted our request for a Temporary Restraining Order, which prevented the annual rent increase from going into effect. But the defendants convinced a different judge to do the exact opposite by the end of July. Obviously, we feel very, very strongly that a grave injustice has occurred. So as of September, with the LVVSDHOA standing tall with us, we’ve gone ahead and continued the good fight up to the Court of Appeal. We plan to have a new website up and running devoted to this case—and mobilehome park cases generally—by mid-December. The site, www.californiamobilehomeattorneys.com, will have case updates, key documents, legal briefs, and other information so everyone can know their legal rights and follow along as this case moves through the Court of Appeal. We couldn’t be more proud and honored to represent the good people of the Linda Vista Village mobilehome park and fight the good fight for them!

In the aftermath of the Superior Court judge’s ruling in July, life continued for the residents of LVVMHP pretty much as it had for the last two years. On-site management was only available 20 hours a week to residents, and closed the park office several times

Letter To The Editor

Dear Mobilehome Magazine: I would like to put a article in your magazine. I am writing this article to let residents know we need this Magazine.

I want to **specifically** say that GSMOL and the Mobile Magazine need to join together to get important information out to all mobile / manufactured homeowners. They should join forces because it gives us more information wealth of knowledge and would make it easier for residents to understand what their rights are and what could happen in our own parks, and to be prepared for greedy owners of the parks. With San Diego not having rent control (we will never have it), our space rents will be out of sight within the next couple of years. If your park is on commercial property (meaning you don't own the property) just your home, we could be in a world of hurt if the owners decided to sell. We need to join forces and be able to stand up to greedy owners. I am asked constantly: "Frankie, do you think Mr. Rottenbacher will ever sell our property?" MY answer is always: "***we are on a very piece of prime commercial land and who knows what your owners are thinking so we must get and be prepared.***" We need more people to join in and be ready to fight these problems. Anybody who has any questions please feel free to call me. I am all over Southern California doing mediation for residents who are having problems with management/owners.

I also will continue to deliver the Mobilehome Magazine

door to door each month. If for some reason I might have missed your house please feel free to call me. Or if you would like to help deliver them or deliver in another park let me know. We need all the help we can get and I thank you. Frankie Bruce

BIO OF FRANKIE BRUCE

When I came to San Diego in 1998 I did not know anything about "trailer living" ha ha. Coming from a background of many sorts, the last full time job was drug/alcohol addiction counselor, TASC officer to at risk youth with the Denver Colorado Juvenile Court, Family Counselor.

Owned my first restaurant, one of four, at 19 years old, 24 hour one in Detroit, Michigan. Last one was Fran's Cafe in Escondido on Grand Ave in 1975-1978. And on the Escondido Business Board for the downtown business association. Anyway, here iI am on the flip side of the coin fighting for the elderly and trying to use some of my skills to get the owners/manager of MHP's to follow he laws and quit mistreating the elderly and trying to take their money by upping their rent all the time. Anyway I enjoy what I do and I love battling for the older folks. I have been with GSMOL for 16 years, President for 2 parks. Region 7 Manager. My model in life is you never give up or in to those who try to take advantage. I wish you all a very happy holiday season.

over the remainder of the summer and into fall, leaving the park unattended, with no way to contact them other than to leave a message on the office answering machine.

In August, a safety project that LVVSDHOA designed--and that management agreed to undertake--involving the placement of stop signs, speed limit signs, and limit lines within the park was started and then abruptly stopped, for no apparent reason. When questioned about the stoppage, on-site management explained that there was no money left in the annual budget to complete the work. When asked why there was no money left in a budget that began July 1st --only a mere month before--the manager replied that money had been taken from the site budget to pay for the "lawsuit." Upon hearing this, Jayne Henn, the President of the LVVSDHOA, contacted Inspire Communities' Regional Manager for clarification. Not surprisingly, work on the safety project resumed shortly thereafter (but has yet to be completed as of this publication date). The foregoing is only one example of inconsistencies and resulting consternation that have become apparent with on-site management interactions.

In regards to the lawsuit, the LVVSDHOA is optimistic about the prospects of prevailing in the 4th District Court of Appeals to right this egregious wrong, no matter how long it takes. It has become a test of our determination and resolve and will take everything we have for a successful outcome. As soon as we have more to tell about our legal action, the next installment of our tale

will be forthcoming, and we hope in the coming months to relay news of abundant "sunshine" being restored to LVV in the form of justice finally prevailing. If successful, we will reap the rewards of realizing our dream--once again residing in an affordable community and enjoy a return to life in paradise.

In the meantime, if any readers find themselves facing a similar plight don't give up to moneyed interests. The LVVSDHOA has found that it pays dividends to organize, maintain a strong HOA, research the issues, form subcommittees, engage residents, obtain expert legal advice from lawyers with successful MHP litigation, fundraise, contact elected public officials, network with other MHP HOAs and keep hope alive. It takes time but the effort can be well worth it. And don't despair--injustices can be overcome with dedication and perseverance.

<END>

Article by Skip Shaputnic, email address: skipthearch@sbcglobal.net

Legal Action recap by Peter Zamoyski, Esq. of Tatro & Zamoyski, LLP, email address: info@TatroZamoyski.com



Más allá de Fear and Loathing: codicia absoluta cuestionada por Acción Legal--segunda parte

El mes pasado la situación de ser sometido a Alquileres exorbitantes y una estructura de aumento de alquiler inasequible en Linda Vista Village MHP (LVVMHP) en San Diego fue presentada en esta revista “un cuento de Unmitigated avaricia, miedo y odio en el paraíso--parte uno.”

La primera parte describe las medidas adoptadas por la Asociación de propietarios de San Diego LVV (LVVSDHOA) para establecer un diálogo significativo con nuestro casero para cambiar esta situación extremadamente perjudicial. A pesar de nuestros mejores esfuerzos para negociar una solución amistosa, hemos sido rechazados a cada paso por una empresa que ha elegido en su lugar para participar en las prácticas de negocios sin escrúpulos — de ganancias obscenas por encima de todo. Esto a pesar del hecho que LVV fue establecida como una comunidad de viviendas asequibles para familias y personas de bajos ingresos.

Con la espalda contra la pared los residentes tenían más remedio que emprender acciones legales. Era eso o enfrentar cierto económico desalojo, tarde o temprano. La segunda parte de nuestra historia ahora continúa con un Resumen de las acciones legales emprendidas por la LVVSDHOA en nombre de los residentes de LVV. Es proporcionado por nuestro abogado, Peter Zamoyski, Esq. de Tatro & Zamoyski, LLP, una firma de abogados con amplia experiencia en litigios de Parque de casas móviles. El LVVSDHOA retuvo el Sr. Zamoyski y su firma en noviembre de 2012.

(Del Sr. Zamoyski): nuestro bufete aprendió a finales de 2012 que desde 1980, el parque propietarios y operadores del parque de casas móviles de Linda Vista Village estaban recogiendo Alquileres de propietarios y residentes en virtud de un contrato

de arrendamiento maestro es nula porque viola la Constitución de la ciudad de San Diego. Estatuto de la ciudad es similar a la Constitución de la ciudad. Nuestro bufete de abogados presentó una demanda colectiva contra el propietario del parque y el terrateniente — la ciudad de San Diego — buscando una determinación judicial que es nulo el contrato maestro. ¿Por qué buscamos conseguir ese contrato maestro desgarrado y apartar? Debido a los daños que está causando a los propietarios de viviendas — obligatorio *mínimo* 5% anual Alquiler aumenta independientemente de la inflación real. Por ejemplo, el año pasado alquiler subió 5% automáticamente aunque la inflación aumentó menos del 1%.

Entonces, cada año, bajo el contrato maestro constitucionalmente válido, dueño del parque ha planteado espacio de alquiler a los propietarios, muchos de los cuales son jubilados con ingresos fijos. Y año tras año, esos aumentos del 5% han sido compuestos y paseos en globo aerostático fuera de control. Hoy en día, alquiler de espacio es ahora tan lejos sobretodo aplicable del costo de vida índices de inflación que muchos propietarios ya han sido constructivamente desalojado del parque. Nuestro experto economista estima que en los últimos 5 años, el aumento del alquiler 5% obligatorio ha costado cada propietario más de \$19.500 en extra Alquiler!

Anteriores en 2013, un juez de la Corte Superior de San Diego estuvo de acuerdo con nuestra posición jurídica y concedió nuestra solicitud de una orden de restricción temporal, que impidió que el aumento del alquiler anual de entrar en efecto. Pero los acusados convencieron a un juez diferente que hacer exactamente lo opuesto a finales de julio. Obviamente, nos

There Are Some Good & Fair Managers

Regarding your article “Park Managers Friend or Foe” in the Sept. 2013 MHMag. I would like to go on record to say that while it is true some managers take their power to the extreme. I know there are many who DO NOT.

In Chula Vista we have over 30 parks of all shapes and sizes with a gamut of management styles to match. In our park, Otay Lakes Lodge, we have been fortunate to have the same good and fair managers of 15 years. Our residents have always been treated with respect, compassion and rationality.

Let's be honest, sometimes managers have to do things that cannot always please everyone. Remember, it is their livelihood and they have to answer to off-site property managing firms and park owners.

I am very pleased and proud that at the 2011 Convention, our

park was acknowledged by GSMOL as one of the 3 top parks in California! We submitted an application that had in-depth questions as to management, amenities, condition, maintenance, appearance and friendliness, including photos. The applications were on display for viewing by all Convention attendees. The award is now proudly displayed in the manager's office for

everyone to see!

I'm sure there are other parks, with outstanding managers, that could qualify for this award. Are you proud of your managers and park? If so, let Mobilehome Magazine and others know about it.

Penny Vaughn, Otay Lakes Lodge, Chula Vista,

sentimos muy, pero muy fuertemente que se ha producido una grave injusticia. Así que a partir de septiembre, con el alto de pie LVVSDHOA con nosotros, hemos salido adelante y continuó la lucha hasta el Tribunal de apelación. Planeamos tener un nuevo sitio web arriba y corriendo dedicado a este caso — y Parque de casas móviles casos generalmente — a mediados de diciembre. El sitio, www.californiamobilehomeattorneys.com, tendrá actualizaciones de casos, documentos importantes, escritos legales y otra información para todos puedan conocer sus derechos legales y seguir a lo largo de este caso se mueve a través de la corte de Apelaciones. No podríamos estar más orgullosos y honrada de representar a la buena gente de casas móviles de la Linda Vista Village del parque y pelea la buena batalla para ellos!

Tras la sentencia del juez de la Corte Superior en julio, la vida continuó para los residentes de LVVMHP bastante tanto como lo había hecho durante los últimos dos años. Gestión in situ sólo era disponibles 20 horas a la semana para los residentes y cerró la oficina del parque varias veces sobre el resto del verano y en otoño, dejando el parque sin supervisión, sin forma de contactar con ellos aparte de dejar un mensaje en el contestador de la oficina.

En agosto, un proyecto de seguridad que LVVSDHOA diseñado--y que la gerencia acordaron emprender--que implica la colocación de las señales de alto, las señales de límite de velocidad y líneas de límite dentro del parque fue iniciado y luego abruptamente detenido, sin motivo aparente. Al ser cuestionada sobre el paro, gestión in situ explicó que no había dinero en el presupuesto anual para completar el trabajo. Cuando se le preguntó por qué no había dinero en un presupuesto que comenzó el 1 de julio concernirá – excepto hombres apenas un mes antes, el gerente respondió que se había tomado dinero del presupuesto de sitio para pagar la “demanda”. Al escuchar esto, Jayne Henn, el Presidente de la LVVSDHOA, contactó a Gerente Regional de inspirar a las comunidades para la clarificación. No en vano, trabajar en el proyecto de seguridad reanudado poco después (pero todavía tiene que ser completado a partir de esta fecha de

publicación). Lo anterior es sólo un ejemplo de las inconsistencias y consternación resultante que han puesto de manifiesto con las interacciones de gestión in situ.

En lo que respecta a la demanda, el LVVSDHOA es optimista sobre las perspectivas de prevalecer en la 4th Distrito de Apelaciones para corregir este error atroz, sin importar cuánto tarda. Se ha convertido en una prueba de nuestra determinación y resolver y todo lo que tenemos para un resultado exitoso quitaré. Tan pronto como tengamos más que contar sobre nuestra acción legal, la próxima entrega de nuestra historia será próximamente, y esperamos que en los próximos meses a las noticias de relé de abundante “sol” a LVV en la forma de justicia finalmente prevalece. Si éxito, nosotros cosechar los beneficios de la realización de nuestro sueño--una vez más que reside en una comunidad económica y disfrutar de un retorno a la vida en el paraíso.

Entretanto, si cualquier lector se encuentra frente a una situación similar no renunciar a los intereses adinerados. El LVVSDHOA ha encontrado que paga los dividendos para organizar, mantener un fuerte HOA, investigar los temas, subcomités de forma, participar a residentes, obtener asesoría legal de abogados con éxito litigios MHP, recaudar fondos, póngase en contacto con los funcionarios públicos electos, red con otros HOAs MHP y mantener viva la esperanza. Toma tiempo, pero el esfuerzo puede ser vale la pena. Y no te desespere — pueden superar las injusticias con dedicación y perseverancia.

< END >

Artículo de Skip Shaputnic, dirección de correo electrónico: skipthearch@sbcglobal.net

Resumen de acciones legales por Peter Zamoyski, Esq. de Tatro & Zamoyski, LLP, dirección de correo electrónico: info@TatroZamoyski.com



Help Make Your Magazine a Success

THE PEOPLES MAGAZINE

We have often referred to MHMag as the “Peoples Magazine.” Why? Because it truly is YOUR, the park home owner’s magazine! It is at your immediate disposal like no other, to be used to improve your life and protect your investment. Sure, as we are getting off the ground and right now, MHMag is providing much of the content, but we anticipate and know and believe, and insist that more and more of you will contribute as you become aware of it’s unbelievable potential to change and improve your lives! Think about it: A community advocate can now reach and gain the support of thousands throughout California with important information. Never ever has this been available before in the mobile home communities of this state!!

Soon MHMag will become more multi-dimensional, i.e. provide content that is just for fun and entertaining. For example, a homeowner might organize bus trips, cruises, sporting events and casino outings! HOA’s could put together all kinds of “discount packages” that could benefit their residents with savings and their treasury... They could invite homeowners from nearby parks to come along and get to meet and make new friends! (Want to improve your social activities and lives?)

A community advocate can now reach thousands with important information. Never has this been available for the mobilehome community.

HUGE GROWTH SINCE JULY 2013

Mobilehome Magazine has enjoyed a huge expansion from 5,000 copies every other month, to 5,000 a month, and now to 30,000 beginning January 2014. Not surprising, because the goal of Mobilehome Magazine is to provide information, a way to organize, and network to as many mobile/manufactured home residents across California as possible. And we continue to expand and improve.

Today our network of contacts is over 100 and growing. Our

staff has grown as well. Now we have three part time employees doing distribution and another for advertising sales. And don’t forget about all those contributing content: Donna Matthews, Lloyd Rochambeau, Donald DeVore, Chuck Zenisek, the Linda Vista HOA group, Bill Schlegel, Penny Vaughn, Kent Greathouse, Phyllis Trip, Suzanne Angeo and many others. MHMag gives every homeowner a voice. We are a team, everyone working together, everyone supporting the team.

ADVERTISING IS CRITICAL

The engine behind the magazine is advertising. Without advertising there simply wouldn’t be a magazine. There are many expenses besides printing costs including expenses for distribution (trucking pallets of magazines to the right location), help to get the magazines to our contacts, help for ad sales, help maintaining and upgrading our website, graphic design, and items such as stock photos, phone service, office supplies, etc.

WHY DOES A BUSINESS ADVERTISE?

Why does a business advertise? Of course we all know the answer: to get customers and to make money. Our advertisers provide insurance (home and auto), pest control, help selling your home, new homes if you want to upgrade, elder care, plumbing services, satellite television service, and much more.

Why do they advertise in MHMag? Because they know you need their services. Do they advertise in other magazines? Yes, of course. As a result, you might see their ad in more than one magazine.

So here’s the rub. Businesses often judge the effectiveness of their advertising by using special 800 numbers (that track caller information such as the callers phone number), or their staff keeps track of the source of calls. Our advertisers are no different. Some have used these methods to access the effectiveness of their advertising in MHMag. In some cases, the results have not been good. Continued on next page bottom.

SELECT COMMITTEE ON MANUFACTURED HOMES & COMMUNITIES

Stephanie Reid, Principle Consultant for the Select Committee on Manufactured Homes and Communities, is a terrific resource for questions on the civil code - Mobilehome Residency Law (MRL). She can be contacted at 1020 N Street, Room 502, Sacramento, CA. 95814. Her phone number is 916-651-1517. She responded to our recent questions:

Q: Does state law regulate rent increases in mobilehome parks?

A: No, state law does not regulate the amount of a rent increase in a mobilehome park. However, the MRL requires a park to give residents a 90-day advance written notice of a rent increase (Civil Code §798.39). If residents are on a long-term lease, the lease would govern the percentage and frequency of rent increases, with increases not less than every 90 days as required by law. If residents sign a long-term lease of more than one year in length, state law provides that the lease is exempt from any local rent control ordinance now in existence or enacted in the future. (Civil Code §798.17(a) (1)) (Approximately 102 local jurisdictions have some form of rent control for mobilehome parks.)

State law does not regulate the amount of a rent increase.

A 90-day advance written notice of rent increase is required.

If resident is on a long-term lease, check the language in lease for frequency (not less than every 90 days) and percentage of increases.

Q. Can a park owner raise rents every 90 days?

A. Yes, a park owner can raise the rent every 90 days – with the proper 90-day notice.

Q. Is there any legal recourse on the size of the increase?

No, there is no legal recourse over the size of the increase, only if it was raised without the proper notice of 90-days.

Basically, there is no state law that regulates the size of rent increases for mobilehome parks. Rent control ordinances must be enacted at the local level by an ordinance enacted by the City Council or Board of Supervisors, or by the People (ballot measure)

There is a guideline of not more than the annual CPI (usually 3.5%), but it is not the law. In some local jurisdictions, mobilehome owners have organized and put a ballot measure on the local ballot that would create a mobilehome park rent control ordinance for their city or county. One would have to procure the services of an attorney who would write such a ballot measure, then the mobilehome owners team would follow the rules of the local elections office, such as gathering enough signatures for the measure to qualify for the ballot.

Q. Do you often get questions from homeowners? Do you mind getting them? Can I refer homeowners questions to you?

A. I answer questions all the time. Send 'em this way.

So what is the result? We hate to admit it, but we have lost some good advertisers simply because their ad in MHMag isn't working for them nearly as well their ad as other magazines. Of course a business advertises where they get the most bang for the buck.

YOU CAN GUARANTEE SUCCESS

Yes, you can guarantee the success of your magazine. It is actually simple and takes only a few minutes a month.

1. Read MHMag. MHMag provides you information that can improve your lifestyle and protect you rights and investment.

2. Take notice of our advertisers. Perhaps you've seen their ad before in another magazine or on a flyer.

3. If you need their services, please call them. And here's the key! **Tell them you saw their ad in MHMag - the full color magazine.**

4. We often ask you "Call or email us" because we love hearing from you. You are family and a family that communicates stays together! When you contact us, even just to say hello, you are on our radar.

The same applies to our advertisers. Take 5 minutes a month, sit down in your easy chair, pick up the phone and **dial one of our advertisers and say hello.** Tell them you appreciate their support of the magazine and when you need their service, you will call again. They would love that!

5. Of course we recommend you purchase a FAQ Handbook. It is a terrific resource for 58 commonly asked questions by homeowners.

6. Finally, 25,000 magazines a month is a huge undertaking. We still appreciate your contributions and want to thank those who have donated. In fact if everyone contributed just a little, success would be guaranteed.

FINALLY

Many mobilehome owners do not have it easy. We are forced to fend for ourselves, to protect our investment and lifestyle. Never has there been such an opportunity as YOUR MAGAZINE to inform, unite and network. We are family. Let's all work for the success of this opportunity. Contribute a few minutes a month, the results will be astonishing.

Tips and Suggestions



Do you have a question? Although we are not attorneys, we feel the advice we are about to offer is good advice.

RULES AND REGULATIONS

Parks are always giving residents new Rules and Regulations (R&R), so you should be aware there is a procedure to do so.

Please know also there are just a handful of legal firms that put together these R&R, i.e. the R&R are usually generic and not specific for your park. For example in one park, the R&R says you must shower before using the pool; however there are no showers in the park.

This is the procedure. After giving all residents a copy of the new R&R, the park must notify all residents of a meeting where they can ask questions. Residents DO NOT have legal rights to force a park owner to change any R&R.

Parks will often ask you to sign the new R&R. By doing so, you are agreeing to every item and the R&R becomes effective the day you sign. If you go to court for some reason and the R&R are involved, the park may well show the signed copy where you agreed to abide by all R&R.

We suggest you do not sign new R&R and the park can not force you to sign. If you don't sign, the new R&R become effective six months from the time of the meeting.

Anything in the R&R that is counter to the Mobilehome Residency Law is void, i.e. the park can not enforce it.

NEW RULES GIVEN "ON-THE FLY"

Parks often give new rules or regulations on-the-fly, i.e. in

the monthly newsletter. Our understanding is these are null and void, i.e. the park can not enforce them because the park did not go through the formal process as discussed above. You should let the park know this fact.

HOW TO FORM AN HOA

Mobilehome Magazine recommends you form a Home Owners Association (HOA) in your park. Here are some suggestions:

a. You need a core leadership group, made up of 3-4 park residents. Volunteers should have a basic understanding of the MRL, should be open and willing to learn, and should be motivated by service rather than ego. Egos have NO place in advocacy.

b. The group need not be formal, i.e. incorporated with the California Secretary of State. We believe simple is better and you can focus on issues rather than protocol.

c. Include all park residents in your meetings and information distribution. You can distribute Mobilehome Magazine once a month with an insert about HOA developments.

d. If you live in a large park, it is helpful to have "block captains" so any flier/magazine distribution work is a team effort.

e. Be an open group. Welcome suggestions and comments.

f. If you have a manager that is an issue, you can have the first series of meetings in a residents home, rather than in the clubhouse.

g. Order an instructional manual from Mobilehome Magazine. We have "how to" guides from two different statewide organizations - Utah and Minnesota.

h. Always have an agenda for meetings.

i. Keep control of meetings. No one likes a meeting where residents are shouting at one another. One way of keeping control is the use of question cards, written by residents, and submitted to the front table.

j. Have specific goals.

k. Use Mobilehome Magazine. We will help.

COMMUNICATION WITH MANAGEMENT

We suggest any communication with management be in writing. Give one copy to management (with a witness if possible) and keep one copy for yourself. This provides you a paper trail just in case you go to court. You can also mail a document to management using the "Proof of Service" form found in MHMag -

WHEN IS RENT LATE?

Rent is late the 6th day after it is due. That means if your rent is due on the 1st of the month, you can pay through the 6th. It is late on the 7th.

This and That - Update

MHMAG REACHES OUT TO MANAGERS

Recently we mailed MHMag to managers in areas where we do not yet distribute the magazine. Our hope was that they might like the magazine for the residents in their park.

WHO RECEIVED MHMAG?

Orange County managers received 167 magazines, i.e. we reached 167 parks in Orange County that do not receive the magazine.

In addition, the following area park managers received the magazine directly by mail: San Jose 48, Sacramento 38, North San Diego County 39, Hemet 37, North Bay 11, and Hayward 9. The total was 350 magazines.

We at MHMag were optimistic. We would have loved to hear from managers wanting the magazine for their park, and why not! We have had managers call us for advice because we are very accessible, more so than their park attorney. Also managers have ordered our FAQ Handbook for all their homeowners.

WHAT WAS THE OUTCOME?

We wish we had better news, but NOT ONE manager contacted us about the magazine. NOT ONE! This was very disappointing, but perhaps not unexpected. We do have good news however. A few managers are accepting boxes of magazines and some are even distributing them in their parks. Thank you! We feel everyone can benefit from the magazine.

MOBILEHOME MAGAZINE EXPANDS DISTRIBUTION

As indicated in last month's issue, residents in many San Jose parks will receive MHMag beginning December, thanks to the help of residents in Winchester Ranch. They are fighting to keep their park and are organizing other parks in San Jose to stand up and fight take-overs by developers. We applaud their efforts and will do our part to help them get the word out.

Beginning January 2014 we hope to bring back the California edition for parks not in local areas. That means any park in California will be able to get MHMag.

INDIVIDUALS WITH SERIOUS PROBLEMS

Several times a month MHMag gets a letter, call or email from individuals with various problems, usually serious problems. They ask us for a name of an attorney in their area, perhaps someone who will represent them Pro Bono. Or they ask us for advice.

Our heart goes out to those folks, but, unfortunately, we do not have the time or resources to adequately handle requests.

We do not have a list of attorneys that will help you Pro Bono.

So should you contact us with your problems? Absolutely. We absolutely want to know about what issues you are experiencing, issues like interference of sales, harassment, intimidation, and other violations of the civil code. However, if you ask us for a solution, don't expect we will give you one that doesn't require your blood, sweat and tears. Unfortunately when someone calls, it may be too late and many issues must be resolved in the courts.

You must keep in mind, our focus is getting information out to as many mobilehome owners as possible. That must remain our focus.

MHMAG WEBSITE

Every magazine published by MHMag is displayed on our website at www.mobilehomemagazine.org. This month we have separated magazines into areas: North Bay, Orange County, North San Diego County and San Diego. Now you can read all magazines in any area. Content varies from one area to another, so if you currently get the North Bay issue, you may find some interesting information by browsing magazines for other areas.

Advertisers: Now advertisers can get a FREE Business Directory listing simply by completing the form on the website.

Want MHMag by email? If you are a resident in a park that does not currently receive MHMag, you can simply send an email to "fawodley@yahoo.com to be put on our email list.

DOWNLOADS OF MHMAG AVAILABLE

We are excited to announce that you can download every magazine, every page or just the page or two you want. Go to our website and look under "Downloads."

LOOKING AHEAD IN 2014

We have high expectations for MHMag in 2014. In fact we are considering a name change, perhaps to a name like "Mobilehome Life" because we intend to publish other important information for you besides information about laws and issues with park managers and owners. Remember a few earlier magazines had a few pages about tips to improve your home. We might bring back that feature. Let us know what you think. After all the is YOUR MAGAZINE.

HELP US WITH A NEW NAME

You can help us with our new name. Simply send us a note, call or email us your suggestion. If we use your name, we will send you a check for \$25 as our way of saying Thank You.

Letters to the Editor

LET'S MAKE ALL RENTAL PARKS ILLEGAL

Editor's Note: Actually this is not a letter to the editor, rather a post on a message board called Mobile Home Owners Forum, a Yahoo Group formed in 2002. It was written by Jerry Lenhard, a long time advocate for MH owners who lives in Escondido. I made a similar suggestion in page 6, Mobilehome Magazine May/June 2012: *So what is the ultimate solution? In my opinion, it is simple. All "rental" parks should be outlawed. Cities and counties should help residents PURCHASE these rental parks and eliminate this power struggle. Only attorneys are getting rich. Sure, pay the park owner fair compensation. But come on, mobilehome owners live in AMERICA. We are property owners too. Allow us the same rights as other AMERICANS!*

How about a bill that would make ALL rental parks illegal? The park owners would have a 5 yr period to sell the park to residents, or the city, town, county where the park is located. The sale would be at the appraised value of the land ONLY, ala the "Midkiff v Honolulu" settlement over 20 years ago. The U.S. Supreme Court approved this settlement & Hawaii eliminated all their landowner/resident problems, as I understand it.

It's been estimated that park owner lawsuits (against every locality that "DARES" to pass rent-control protection) cost California taxpayers an estimated \$20,000,000 annually & allows residents to be harassed/intimidated on a daily basis. Present laws, lobbied heavily by park owner groups, favor park owners; as corrupt legislators seem to abound. The lawsuits, paid for by park owner groups, cause any locality protecting residents, to defend themselves in court, at great local taxpayer expense. After several lawsuits, the "losing" park owners use this "legal cost" (to help residents) against incumbents running for local elections & encourages voters to vote for park owner candidates who then repeal or water down the local rent control ordinance. Since most localities/states are facing serious budget problems, eliminating these ongoing legal costs would save local taxpayers/residents untold millions & should be welcomed by all localities, residents etc.

We've had ongoing legislation for over 30 years & what's been accomplished? I read here every day where the ongoing, DAILY, harassment/intimidation by park owners/managers just continues, day after day, year after year. Most laws passed that SEEM to help solve a resident problem, usually end up full of loopholes; in the park owner favor.

Prop 13 created this park owner monopoly, which even

courts have found. No rental park has been built in over 30 yrs & NONE will be built again. How much proof do we need? Monopolies ARE illegal & have been, under Federal Law, for as long as we can remember.

Residents "seem" to win a battle here & there, but park owners undoubtedly are winning the war, in the end. It's ironic that the parks are allowed to clutter up our courts with phony lawsuits & then are allowed to deduct their legal fees on their taxes. I discussed this with Senator Bill Craven before he passed & he thought it was "very interesting". My argument was that these parks are "public nuisances", in that they are a burden on taxpayers & cause harm, often irreparable, on seniors/elderly/low-income/disabled/veterans etc. Taxpayers would NEVER support such damnable actions; if they only knew about it. Just think how many tens of millions of dollars taxpayers could save by eliminating mobilehome legislation, statewide traveling/meetings by legislators (many crooked) etc, etc. Many parks are little more than "legal" concentration camps" anyway.

Just my opinion. Jerry Lenhard, Escondido.

ARE MOBILE HOME PARKS PROFITABLE?

Mobile Home Park Owners are continually scheming and campaigning to raise space rents, and not by just \$5 or \$10 more per space per month.

They claim that they are not making as much profit as they should and that their private property rights are being denied. It is, however, the resident/homeowner's property rights that systematically being denied. After all, aren't we all trailer trash and second class citizens?

My personal experience, which dates back to the late 90's at Rancho Carlsbad, a 504 space park in Carlsbad, tells me otherwise. As a rental park, space rents were in the \$ 800 per month range. While it's true that the park owners were in bankruptcy, it had more to do with a recent 26 million dollar loan that was in default. No one knows where that money went, but it did not go into the park for operating expenses or for capital improvements as we were told.

After a struggle, the resident/homeowners succeeded in buying the park out of bankruptcy. The newly formed Homeowners Association established a fee of \$200 per space per month. This fee provided for operational costs and a portion for establishing a Reserve Fund to meet future major infrastructure costs. Something we suspect Park Owners never do.

The math on this fairly simple. The rents previously brought in about \$400,000 per month (504 x \$800). Yet the new HOA monthly fees brought in \$100,000 per month

(504 x \$ 200). The homeowners were able to operate the park for \$100,000 per month versus the rental income of \$400,000, that left \$ 300,000 per month for profit. That is \$3,600,000 a year. Sounds like a fair (?) amount of profit doesn't it?

Recently, gathering some statistics for parks in San Marcos, we found that the seven resident/land owned parks with 1,280 homeowners were collecting about \$962 per month in HOA fees. That is an average of \$137.43 per space per month.

The ten rental/land lease parks with 2,277 spaces were paying approximately \$ 5,085 in rent for an average of \$508.50 per space. So, if we deduct the average HOA fee of \$137.43 as representative of the cost of operation from the average rental of \$508.50 per space, we come up with about \$371.07 profit per space per month. Multiply the \$371.07 by the 2,277 rental spaces and you have a profit of \$844,926.39 collective profits each month. Extend that for a year and you have \$10,139,116 annual profits or \$1,013,912 profit per park. The best we can tell is that all 10 parks are owned by businesses or individuals in Los Angeles or Orange County, so these profits leave San Diego County.

As far as the information used in these calculations, we have used the only information available because the Park Owners do not divulge the amount of rent they are charging for each space. It is most likely under estimating the actual rental income, and therefore their profits. San Marcos with their seven resident/land owned parks and ten rental/land leased parks is only a microcosm of North San Diego County and the rest of the state. This treatise is not based on scientific research, but on logic and common sense. If the actual facts and figures were available, you would no doubt find that the Park Owners profits are far greater than San Marcos's, which has rent control to help protect the mobile home owners.

Lloyd L. Rochambeau, President, Lakeview Mobile Estates Homeowners Association

WE ARE ALL FAMILY

Dear Ms. Mary Jo Baretich, President of GMSOL

I'm a resident of Terry's Mobile Home Park in Chula Vista and also President of our HOA. I know, as a reader of Mobile home Magazine (MHMag), that GSMOL and MHMag, seem to be at odds for some reason? This is really unfortunate! As you are the two major supporters of home owners in mobile home parks in California, you must realize how important both organizations are to us in your respective and distinct roles! Frankly, we would like you to work together, solely focused on protecting, informing, and helping us home owners maintain a decent way of life in the parks!

Case in point, I serve on the Board of the CMHRA



(Chula Vista Mobile Home Residents' Association) and received GSMOL post cards from them to distribute, dealing with seeking the Governor's signing on to SB510. It was short notice, and so I took the liberty of inserting them into our park's copies of the MHMag! (I am happy that the Governor did sign on!)

Then it hit me! If the post cards could have been delivered via Mobile Home Magazine with its large statewide distribution...wow, how many cards would have been on the Governor's desk! (Also, using this venue would be a great place to solicit and increase GSMOL membership!

In Chula Vista we have 31 mobile/manufactured home parks and that adds up to around 3500 spaces. They are a combination of family and senior split about 50/50. I have noticed in the last several issues of the Californian, the representatives for South San Diego County have been omitted. Not sure WHY? The only ones listed are north and east. As in all areas, we are constantly bombarded with major and minor issues in our parks. Home owners are still fortunate here, just to have the CVMHRA,. But, we need to have our GSMOL Associate Managers back and listed! We want to be in your loop!

One more thought: Do what you do best, i.e continue to be our ever alert and hardworking force in Sacramento! In the meantime, we'll continue supporting, and recommend supporting you, even though we are not a GSMOL chapter. We'll build are own community associations, here! We'll push to establish and strengthen our South San Diego County HOA'S. We'll certainly promise to "keep you in our loop". We are, after all is said and done, "family"!

Please, for the sake us continually embattled home owners, and, in the words of a now famous Californian, "can't we just get along?" Sincerely, Bill Schlegel, 677 G #64, Chula Vista, Ca. 91910

I Get It by Frank Wodley, Publisher MHMag

When you were in the process to purchase your mobile/manufactured home, you probably were excited and feeling good about your decision. Perhaps you were downsizing from a large, stick built home and the kids were gone. Or perhaps you were like many of us, you just couldn't afford anything but a mobilehome.

The choice seemed perfect. The mobilehome was in a park that was well kept. The manager seemed nice. And the price was certainly alluring. No more property taxes, or big yards to keep up. And the park had some nice amenities like a pool and clubhouse. What a nice way to enjoy a "community" atmosphere.

Of course all you knew about life in a mobilehome park was what you imagined it would be like or you could see for yourself and what the manager or seller told you. You did receive a lot of paperwork, with some "alerts" in bold type. Management even suggested that you have your attorney look over the contracts, but of course you don't have an attorney or the money. And hey, this is a nice park, and what can happen or go wrong?

Little did we know what we were getting into. We just wanted to leave in peace and quiet, enjoying what years we had left, perhaps tending to our garden or making short trips to scenic places, or enjoying our grand kids.

I get it because that was me also. I moved into Chatsworth Mobile Home Park about 15 years ago and even before I signed on the dotted line I was having some issues. The manager didn't like my sales agent and we had a tough time qualifying to live there. But it finally happened. Shortly after that we received our first seven day notice for weeds in our front yard. But I couldn't figure it out because we don't have a front yard!

It was downhill from there. I can't count how many confrontations I had with the manager and how many seven day notices I received. Finally, after three or four years I started looking for some help. I found GSMOL. A resident in another park suggested that I send out flyers and organize, but I felt that would only bring the manager down on me more. I was afraid. After another year, someone invited a GSMOL representative to come to our park and

Speak. Shortly after that our chapter restarted; however to our dismay the leaders were all pro-management. They gave us incorrect phone numbers and didn't do anything for one whole year!

I'm not sure why they gave up their power, but a year later the leadership positions were up for a vote. As usual, no one wanted to run. My friends and neighbors convinced me to run for president, although I said I was a "behind the scenes type of person" and of course I was elected because no one wanted the job. Laugh out loud The rest is history.

Why am I so long winded? What am I trying to say? I'm trying to say I get it. I've been there.. I've been afraid. I've been frustrated. And I had no knowledge about any protections I might have as a resident. I just wanted to have my peace and quiet. I never expected what has transpired over the last 15 years. NEVER!

This is my point. All of us were naïve when we moved into our park. We all had high expectations for a peaceful, simple life. We certainly didn't expect all the challenges we would face. But the challenges are real. We all lose if we are not aware and take the time to deal with issues. I've written many times "**when we live on land owned by someone else, we are vulnerable.**" Just ask the residents in Winchester Ranch in San Jose. Or residents at DeAnza in Santa Cruz. Or thousands of others around the state.

BOTTOM LINE

So what's the bottom line? You can let someone else do the organizing and learn how to protect themselves. You can sit back in your easy chair and do nothing. You can be afraid. You can be apathetic or complacent. But ultimately you will lose. You will lose thousands of dollars in equity, and you will lose your rights. If everyone just spend an hour or two a month, park owners wouldn't be able to break the law. It's up to YOU, no one else.

WHAT CAN YOU DO?

Read the article on the next page: "How to resolve issues in MH Parks". It is good advice! Still stuck? Call me at 800-929-6061 or email me at fawodley@yahoo.com.



How to Resolve Issues in MH Parks

We get a lot of calls regarding various issues residents encounter in their parks. Remember, enforcement of the law is up to you. We will assist you but we simply do not have the time or resources to resolve issues for you. Before you call, write or email us, please work through the following plan:

WANT A QUICK INTERPRETATION OF THE LAW? CONSULT THE FAQ HANDBOOK

Your first line of defense against many issues is the Frequently Asked Questions & Answers **Handbook** sold through Mobilehome Magazine. To order, simply fill out the application on page 19 (all info kept confidential) and send it in with a check for \$6 made out to Mobilehome Magazine.

Keep in mind that the 36 page Handbook, although published by Mobilehome Magazine (COMO-CAL), was compiled by the Senate Select Committee in Sacramento. You can trust their interpretation of the Mobilehome Residency Law (MRL). The **Handbook** gives easy to understand answers (about 60 total) to many of the most often heard questions. Here are just a few:

- *What can residents do about managers who intimidate and harass?*
- *Is there financial assistance available to me to correct code violations in my home?*
- *Is management allowed to restrict parking and even have residents cars towed?*
- *Can the park prevent me from subleasing my home?*
- *Is it legal for our all-age park to change back to a senior only park?*
- *Do mobilehome park rules prevail over state law?*

You can easily see the value of the Handbook. It is well worth the \$6 price and it supports Mobilehome Magazine at the same time.

READ MOBILEHOME MAGAZINE

We have been publishing Mobilehome Magazine for over two years. If you have a computer you can go to www.mobilehome-magazine.org to access all the magazines we have published. There is a wealth of information to be found.

Now you can even access LOCAL magazines from other areas in California to find out what's happening there.

We will soon have a list of articles you can purchase from us that might help answer some of your questions.

FORM AN HOA

Two heads are better than one, but a Home Owners Association (HOA) is really the way to go. They require three residents to get started and Mobilehome Magazine can help.

HELP US START A COMMUNITY MAGAZINE

Q. What's better than a HOA?

A. Several parks networked together to form a mobilehome community. How can this be accomplished? Simply by helping us form a distribution network in your area. We already have local magazines in Orange County, Sonoma/Santa Rosa, Oceanside/San Marcos/Escondido and San Diego. You

can have your own magazine in your area. Simply call us for details.

ARCHIVED ARTICLES

We are excited to announce we now offer articles that have been published over the years by COMO-CAL and Mobilehome Magazine. You can call or email us for the list which represents all important articles printed in Mobilehome Magazine over the last two years. All are relevant to today's problems.

You can receive one or all of these articles at nominal cost by writing us, emailing us or calling us. Do you have an issue not covered by the list? Let us know and we may write about it. (800-929-6061 or fawodley@yahoo.com.)



WHAT IS **Mobilehome Magazine** & Why is it Important to You?

Mobilehome Magazine is a one-of-a-kind magazine published every month exclusively for owners of mobile/manufactured homes in California. First published in September 2011, approximately 200,000 copies have been distributed. Now we are publishing Mobilehome Magazine for local areas like yours. This is possible only because residents have stepped up to volunteer to distribute the magazine in their individual parks. We thank them all!

THE DREAM PROJECT OF COMO-CAL

MHMag is the dream project of Frank Wodley, the founder and President of the Coalition of Mobilehome Owners - California (COMO-CAL) - a statewide advocacy organization focused on providing the tools to protect mobile/manufactured homeowners' lifestyle. First established in late 2004, COMO-CAL provided information and legal services to mobilehome residents for seven years. Near the end of 2011 COMO-CAL leaders decided to take a different direction, i.e. provide residents a low cost source of information, namely Mobilehome Magazine. Today we distribute 25,000 magazines every month, tomorrow the skies the limit!

There are other "magazines" in California; however they are often the voice of park owners and managers. Because you live in rental park, you are often vulnerable to unscrupulous park owners. You need honest, accurate information. You need to know you are not alone, and you need to know someone cares. MHMag is a source of important information to assist you in protecting your life-style and investment.

We are not in competition with any other group. Our main priority is getting information to you, to network mobilehome owners across California and to show you are not alone. We are there for you.

Mobilehome Magazine continues the tradition of

COMO-CAL's Voice, rated as the best, most informative newsletter in California. In our latest website poll, 83% rated MHMag as terrific.

SHOESTRING BUDGET

We operate on a shoestring budget. We do not have grants, or companies who subsidise our operation. And if you guessed it costs a lot to print and distribute a full color magazine you'd be spot on. The cost to print and distribute each magazine is approximately 50 cents. That may not sound like much, but when multiplied by 25,000, it becomes \$12,500 each month. Up to now we have survived on subscriptions, donations and advertising revenue; however today the magazine completely free. So money is even tighter, and we are sure you know about that!!



PLEASE DONATE - IT DIRECTLY HELPS YOU

Please donate to keep Mobilehome Magazine alive. Your donation will be used in your local area to reach many more residents and we will be able to grow the size of the magazine. Both will directly benefit YOU! And we will be transparent. We will give an accounting of donations for your area! Please go to page 19 or to our website to donate. We thank you!

WE THANK YOU FOR YOUR SUPPORT!!

Our Philosophy

We feel it is important that residents, managers and park owners understand, right from the start, the philosophy of Mobilehome Magazine. There are lots of misconceptions and now is a good time to make OUR position clear.

Mobilehome Magazine is not anti-manager or anti-park owner. In fact, one of our goals is to promote good relations between park owners, managers and residents. We understand that this is a business, but we also believe that residents have a right to a stress-free life, free from the many negative situations that are a reality in so many mobilehome parks today. We do not confront, just read some of the testimonials. Our work with park owners, managers and residents results in a better life for all.

OUR MESSAGE TO PARK OWNERS & MANAGERS

We want you to know we welcome your input. We welcome articles that provide our readers an understanding of various park issues from your perspective. In fact my manager, Melody, has been good enough to write a few articles in previous issues of Mobilehome Magazine.

Ultimately, our goal is to have managers, owners AND residents all follow the law. To that end, MHMag is providing the tools so everyone knows their individual rights and responsibilities. No one is enforcing the law for you, and if there is to be enforcement, it is on your shoulders. Enforcement requires that you at least have a basic knowledge of the law.

STRENGTH IN NUMBERS

We believe that a group of residents are much more effective combatting many issues in a park than just one or two. There is Strength in Numbers. To that end, we feel every park should have a Home Owners Association (HOA) that advocates for residents rights. Mobilehome Magazine can guide your efforts to form your own HOA. It only takes 3-4 residents who want to make a change.

KNOWLEDGE IS POWER

Our readers are a great example of the saying "Knowledge is Power." Mobilehome Magazines give you information that will empower you to help yourself.

LAWS ARE NOT ENOUGH

Our philosophy has never changed. Ten years ago we felt laws are not enough and we feel the same way today. Unfortunately enforcement of the law must begin with you. And unless you have a basic knowledge, i.e. Law 101, you will fail.

MHMAG & OTHER ADVOCATES

We feel it is important for all advocates to work together for the greater good of all mobile/manufactured home owners in California. And our recent survey demonstrates this opinion is shared by the great majority of mobilehome owners.

So what does "working together" mean? It simply means that MHMag will support and assist other groups. Today we are reaching 30,000 homes in California. That's roughly 90,000 residents who live in mobilehome parks.

THE FUTURE

Although we have experienced a rapid expansion this last month, we are not satisfied. In fact we are actively working to develop distribution networks in some high density areas such as San Jose and Hemet. Please help us in our efforts to reach more and more residents across California.



Management Uses Credit Statement to Deny Residency



Photo Left to Right: Dana Rasmussen (Agent), Judith Noblet-Bero (seller), Lori Ann Day (Buyer)

Judith Noblet-Bero put her home up for sale in the Blue & Gold Star Mobile Home Park. She found a buyer who was willing to pay all cash for her mobile home, and had at least thirteen years ahead cash to pay for the space rent. What could go wrong? Right? Now Judith could move to Oregon to be near her relatives.

The prospective buyer needed park approval. She provided photocopies of paychecks, a copy of her bank statements, and allowed a credit check. A letter came back denying the prospective buyer park approval. She was never told that she needed to have an 850 credit score or higher. It just was not in the park package. Her Experian/Advantage credit score was 769 when she was screened. That is a high credit score, but not high enough. The prospective buyer lost the amount she paid for the home inspection, and could not get the money back. It did not make any sense because the owner had the cash to pay straight out for the home, and thirteen years ahead space rent. She was not asking for credit, so why did a credit score even need to come into play? She was given no credit for cash. Since when does this country not take American money? Since when does America not take hard,

cold, cash? The prospective buyer only had one credit card, and had a 769 Experian/Advantage score. Wasn't she the model for what every American should be? She should not have been penalized for having one credit card, and knowing how to use it well.

Judith began asking other residents who were trying to sell their homes whether they had lost buyers because the Mobile Home Park required an 850 credit score or higher. Several buyers have been lost due to this new policy that came into affect since the Blue & Gold Star Mobile Home Park, and five other mobile home parks were left to Nita Denhoy after her father, Bill Denhoy, passed away about five months ago. Buyers at other Mobile Home Parks in the area do not need credit scores this high in order to be approved, and allowed into a park. Even when Bill Denhoy was alive, Snug Harbor, which is in the same vicinity of the Blue & Gold Mobile Home Park, had been the topic of news due to needed repairs that had been ignored.

Capitola is in Santa Cruz County, and it is under rent control. There is also the county law, RENTAL ADJUSTMENT PROCEDURES FOR MOBILE HOME PARKS 13.32.072 Prior approval of purchaser. An excerpts says, "Approval shall not be withheld if the purchaser has the financial ability to pay the rent and charges of the park unless the management reasonably determines that, based on the purchaser's prior tenancies, he will not comply with the rules and regulations of the park." Nowhere in this civil code does it list that a buyer has to have an 850 credit score or higher as criteria to approve or deny a potential resident.

The office of the District Attorney is getting involved. Judith, the realtor for the prospective buyer, and the woman who tried to purchase the mobile home from Judith have been trying to raise awareness for what is going on.

In Santa Cruz County, if the owner of a mobile home leaves and does not occupy the mobile home, the space loses rent control. When a person cannot sell a mobile home, they are stuck unless the park owner buys it. This would exempt the home from rent control.

Judith was unable to buy her dream home in Oregon because she was not able to sell her mobile home. She feels like she is being held hostage in the Blue & Gold Mobile Home Park because she is being stopped by an unreasonable demand of an 850 credit score! Other sellers in the Blue & Gold Star Mobile Home Park could be affected by being required to sell to a prospective buyer with the qualifications of an 850 credit score or higher. This could have an affect on mobile home parks as a whole where it could bring the equity of the homes down, especially if the people begin to believe that some kind of a conversion process is going on.

Article by Lori Ann Day (Buyer)

This & That

THE BIRTH OF A MAGAZINE

It didn't take weeks, months or years. The birth of Mobilehome Magazine - San Jose happened in just 20 hours. Aware that Winchester Rancho residents had an immediate need, I emailed Winchester Ranch resident Phyllis Tripp suggesting what I could do to help residents organize San Jose. She discussed my offer with a few of her friends and neighbors, and the magazine was born! At that point we had to work quickly to develop a distribution network and in only a few short days we had enough contacts in San Jose MH parks to start the new magazine in November! Wow, I've been trying on my own to get into San Jose for over a year, and with a little help it happened! SUCCESS!

OUR ADVERTISERS

Our advertisers are taking a chance on us because we are a relatively new magazine without a fully developed distribution network. Advertisers don't really know what to expect. And we understand you, our readers, are just getting to know us.

A couple advertisers have complained that they are not receiving many calls from their ads, and this means they are not getting customers. As a consequence, we stand to lose their advertising dollars and without advertising dollars, there will be no MHMag.

This is what we suggest: a) If you need insurance, or a roof on your home, or termite services, or other services, please use the companies that support MHMag. b) If you have a company that you would recommend, call us. Also call them and suggest they consider advertising in MHMag because MHMag is important to you. Your call means a lot! c) Even if you don't need anything today, call our advertisers and let them know you appreciate their support of MHMag.

MOBILEHOME MAGAZINE ONLINE

Our website is www.mobilehomemagazine.org. We post every magazine online. The Home Page has all the California editions, and the Local Page has all the local editions.

RUMOR ABOUT MOBILEHOME MAGAZINE

Recently we received an anonymous note as follows:

"When you 'make up' with GSMOL, I will subscribe. We need a United Front!"

Just to set the record straight, we have worked with GSMOL

through-out the years, when GSMOL requested our help. In 2009, GSMOL invited COMO-CAL, and other groups, to participate in three summits. COMO-CAL attended all three, even hosting the third in Chatsworth. At the second summit, we suggested combining the resources and expertise of all groups, to form one group. This met with wide spread excitement; however a month later the GSMOL BOD rejected the plan.

Also in 2009, we invited several groups, including GSMOL, to two "brainstorming sessions." The photo above shows several



groups were represented, including GSMOL (Jim Burr), MHOC, and COMO-CAL.

We have distributed thousands of post cards at our own expense in support of GSMOL's legislation.

Recently we reached out to the new GSMOL president, Mary Jo Baretich, asking her to meet. In April 2013 we sent the GSMOL Board of Directors a letter asking to work together. See June & October MHMag for details.

Rumors only hurt our efforts to unite. The writer of the note has not taken the time to really read what we have been publishing about GSMOL & MHMag the last several months. In fact, we believe he/she has it backward, he/she should be writing to GSMOL saying

"When you 'make up' with Mobilehome Magazine, I will become a GSMOL member. We need a United Front."

Ultimately we feel politics hurts any effort to UNITE. A good example is what is happening in Washington D.C. with grid lock at the Capital. If everyone focused on how best to serve mobile-home owners, we would accomplish much more. Mobilehome Magazine is willing and able to work with any organization. We have lots of ideas and a network to reach tens of thousands of mobilehome owners. Working together is our only option and we re more than happy to do our share.

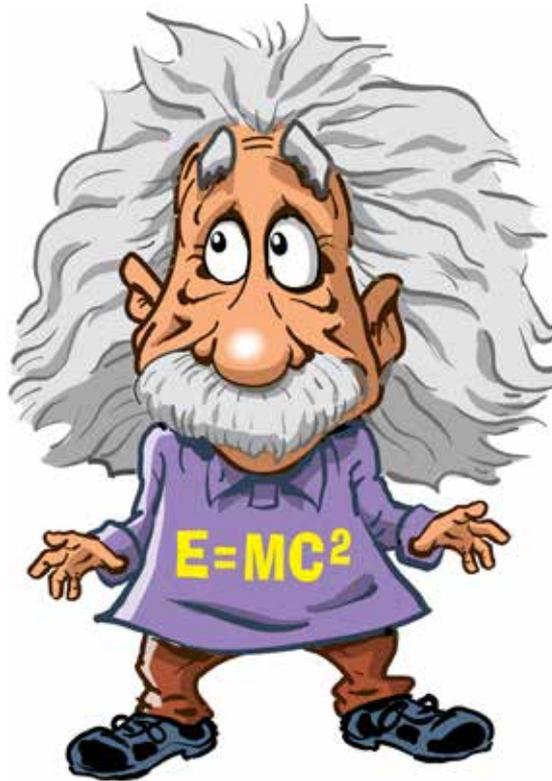
This Isn't Nuclear Science

Assisting mobile/manufactured home owners shouldn't be complicated. Remember the saying: Kiss - Keep it Simple Stupid. Decisions, priorities and strategy should be based on one and only one criteria - what's best for those we serve, namely the homeowner.

So WHAT'S BEST FOR YOU?

I don't think anyone will dispute the following four key points are key to what is best for you:

1. A strong advocate in Sacramento (historically Golden State Manufactured Home Owners League - GSMOL) to counter legislation proposed by the park owners lobby that would adversely affect you, and someone to propose legislation, such as the Washington State model of dispute resolution that would give California mobilehome owners somewhere to turn to for legal assistance.
2. Everyone working together, just as in sports, everyone doing their job, i.e. teamwork, makes for a winner. It's a no-brainer. Teamwork, that's the key. Remember: "Strength in Numbers." Advocates working together, mobile/manufactured home owners working together. Our surveys show over 90% want advocates working together.
3. A strong Mobilehome Magazine (MHMag). MHMag provides a no-cost way to inform, network, and educate mobilehome owners across California. Now printing 25,000 copies a month (North Bay, San Jose, Orange County, North San Diego County and San Diego).
4. Enforcement of the laws. After attending a GSMOL Convention in San Diego in 2004 I asked myself: "If California has more laws than any state, when then are we still having so many issues in our parks?" The main answer is THERE IS NO ENFORCEMENT! As of today (and yesterday), you are the enforcer. That requires knowledge, time and money. Most mobilehome owners have little knowledge, time or money and even if they



did, who is the best attorney to hire

WE PROMOTE?

1. Communication is key. Not just one way (the magazine to you), but two way communication. Let us know what's happening in your park and in your community. Write an article.

2. Networking. We will reach 30,000 households beginning January 2014. Many of you have researched a specific issue you faced and now have become an "expert." Share your expertise with others. There are a lot of success stories out there. Let us know what has worked for you so we can share it with our readers.

3. Organize: We continue to promote HOA's as a first line of defense. We suggest a leadership without egos, a leadership that really wants to find solutions. We suggest leaders maintain control in meetings, perhaps asking for 2x4 cards with questions and limiting the amount of cross-talk and arguments. If you have an effective, solution oriented HOA in your park, let us know! We can share their successes with our readers.

4. Working Together. Teamwork works - that's a fact! Division does not. To that end, we welcome submissions of content and photos from homeowners. We welcome their letters with suggestions, criticism, and/or praise.

5. We promote good relations between managers and residents. In future issues, we plan to acknowledge those managers and parks doing a good job. We will, however, expose managers and parks that are breaking the law. To that end, please fill out the Survey in your September MHMag and return it to us. Linda Vista MHP in San Diego has returned more than 20 surveys! Terrific job guys.

6. Finally, we promote transparency and openness. Mobilehome owners have a right to know what's happening, even behind the scenes, with their advocates. This means advocates should publish financial statements, accept suggestions as opportunities to improve, respond when mobilehome owners send us emails or letters or call us, include mobilehome owners in decision making, etc.

TIME TO GET PROACTIVE By Lloyd Rochambeau

Mobile home owners are essentially a group of people trying live out their lives in affordable housing that provides for a degree of privacy and freedom. A mobile home can be a factory built home built in the mid-sixties, or a new manufactured home built just this year.

A private "apartment" with as little as 700 square feet, or a triple-wide over 2500 square feet, the value or cost ranging from \$10,000 to as much as \$400,000. Situated on a small plot of ground called a space, which can be owned or leased. An interesting note is that the space between homes can be 15 feet to 30 feet or more. That is interesting because many new luxury stick built homes costing \$800,000 and up may have only about 10 or 12 feet between houses.

Mobile or manufactured homes on owned land do not suffer the same problems as those on rented spaces. The rental parks are usually owned by private parties or investors who manage and rent the spaces in an effort to maximize their income and profits. There are different types of owners. Some are content to make a reasonable profit and to provide a pleasant living environment, while others could be called greedy landlords who care little about the homeowners renting their space, so long as they can rake in as much profit as possible. A good example is Lakeshore Gardens in Carlsbad, once owned by Charles Bronson, the actor. Charlie was a good landlord, maintained a nice park where rents were in the \$700 range. After Charlie passed away, I believe his family took over. While they continued to make the park a nice place to live, they have over the past few years, increased the rents to a range of about \$1200 per month. This is not an oceanfront park, although it is close by, but sandwiched between a strip mall and railroad tracks does not make it a five star park.

But I digress. I was just trying to give a little background for some of my ideas or suggestions that cause me to advocate for a more proactive, rather than a reactive approach for mobile home owners. When a park owner is guilty of trying to gouge the homeowners or does not properly maintain the park and the environment is allowed to deteriorate, the homeowners are left to react in whatever ways are open to them. Complaining to the park manager or the park owner often results in them being ignored. Please keep in mind that complaints against your neighbor's barking dogs or excessive noise are not complaints that among the types of complaints which are involved here. The kind of violations I am referring to are those wherein the

Park Manager or the Park Owner are violating our rights and protections provide for by laws.

HCD needs to be notified and if you go on-line to the HCD.ca.gov there is a Mobilehome Park Complaint form which can be completed. Whether the Ombudsman responds (who cannot enforce the laws), it may also require the City wherein the park is located to take action.

Often, homeowners are told it is a civil matter and that you need to get a lawyer to help you. I do not agree that a lawyer is required. I would provide a copy of the complaint to the City, and another to GSMOL and of course to the HOA of the park and any regional mobilehome owner association. Complaints need to be specific and provide reference to the MRL and/or Title 25 or any other law being violated. While no guarantee of action supporting your claim can be made, you will at least have called it to their attention. I almost forgot, you also need

to provide a copy for the Park Manager and the Park Owner. Many homeowners do not have funds for an attorney and should not be expected to seek legal help to enforce the laws being violated. If drunks are defecating and urinating on the lawn and sidewalk in front of the Mayor's house, does he need to get a lawyer to get it stopped?

First off, I contend that every park should have a homeowners association. If there is a city wide group such as we have in San Marcos, that can be more effective than trying to go it alone. In fact, we have discovered that the City's Rent Control ordinance requires each park to have a Homeowner's Association to be covered by rent control. There is also Mobilehome Magazine. It is an excellent way of informing homeowners and helping to unite them through the monthly magazines provided free to homeowners. Letters to the magazine complaining about Park Managers harassing and bullying homeowners could be way to call attention to some of their practices. Participation, involvement and unity are important and needed to counteract apathy. We also need to overcome fear of retaliation, which is as big a problem as apathy.

Another strong advocate is GSMOL. the Golden State Manufactured Home Owners League. Membership by as many homeowners in your park as possible, should be the goal of the HOA, plus a city-wide group, and GSMOL.

Continued on page 49



A Potluck & A Tribute

Terry's Mobilehome Park in Chula Vista held a pot-luck for homeowners from Terry's and neighboring parks. Several park leaders showed up.

As per Bill Schlegel, HOA President, the music at our "Thanksgiving" party was furnished by a very popular Friday night duo from a well known National City restaurant, Cafe LaMaze. The combo's name is "Take Two". The cafe has been around for over 70 years and was oft visited by the Hollywood's elite going to the dog races in Tijuana and the horse races at the Del Mar fair.

"Take Two" is Bruce Robbins and Mark Hellmann. They played "I'm proud to be an American" by Lee Greenwood as a

tribute to the Marine Corps Birthday (10th) and Veterans Day (11th). We were honored to have a young Marine just back from Afghanistan, at our party: Marine Sergeant Jesse Roberts. He is the grandson of Jean and Ray Voller who are residents of "Our Town", Terry's Park.

Along with the cheers, & our attempts to sing-a-long with the song, there were a few tears, too. I spoke to the "band guys" afterwards, and this little, but interesting, "side light" came out: Bruce is a Viet Nam vet, himself! Mark, born in Scotland, moved to Canada, and eventually became a US Citizen, had an especially hard time singing it. If you check the photo you will see he was joined by one of our "rowdies" with gusto.



Photos Top: Tribute to Marine Sergeant Jesse Roberts with his grandparents Jean and Ray Voller who are residents of "Our Town", Terry's Park.

Photo Bottom: Entertainment furnished by the famous "Take Two" combo: Bruce Robbins and Mark Hellmann.

Photos courtesy of Bill Schlegel

Photo Above: Front couples are Jim and Martha Matney (Chula Vista Mobile Home Park) and Richard and Susan McClure of Grenada. Backing them up are (L-R) Skip Shaputnic and John Henn Linda Vista Village Mobile Home Park and Ron Conner, Cabrillo Mobile Home Park. Happy "helping hands" distributing Mobilehome Magazine in South San Diego County.

Free Advertising

Yes, you read correctly. For a limited time Mobilehome Magazine is offering FREE ADVERTISING to any local business that serves mobilehome owners. Whether you are a real estate agent, plumber, painter, handyman, contractor, dentist, doctor, pharmacist, grocery store, auto mechanic, or whatever. You can get your free ad simply by sending us your business cards (2). Mail to P.O. Box 3774, Chatsworth, CA. 91313. Then look for your ad in the next MHMag.

WHY ARE WE OFFERING FREE ADVERTISING?

We know our readers want to see local business in our magazine, especially those businesses used by their friends and neighbors. And we want to introduce Mobilehome Magazine to the local business community. This is our way of saying "Hi, we now reach 5,000 households in your area and you should think about advertising in our magazine."

SEND US BUSINESS CARDS

Often times you get business cards from local businesses you use and trust. We want to reward these businesses by giving them a free ad in the magazine. We ask you to mail us their business cards, we will contact them and if they say okay, we'll give them the free ad. Also we see business cards on a bulletin board in clubhouses. You can send us those cards also.

WIN-WIN-WIN

Everyone wins. The local business wins by getting a free

ad, our readers win by seeing local businesses others know and trust and MHMag wins when businesses know about the benefits of advertising in our magazine.

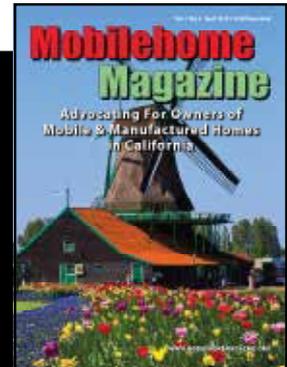
FREE ADVERTISING!

Do you serve mobile/manufactured homeowners? Are you a real estate agent, plumber, painter, handyman, or contractor?

Do you provide goods or services to seniors? Do you target mobilehome owners with your advertising? Our rates are the lowest in California? About 70% lower than a post card. Try Us!

Send your business card to
Mobilehome Magazine
P.O. Box 3774
Chatsworth, CA 91313

or email to
frank@mobilehomemagazine.org
and we will give you one
free ad in the magazine.
No obligation.



Continued from page 47

Since our channels for reacting are so limited, and unproductive, we need to find other ways to get help. Being proactive means more work, but no one else is going to help us if we do not help ourselves first. How do we do that? I have some ideas, which may seem cockamamie to some of you. I would also like to hear any ideas you may have as well.

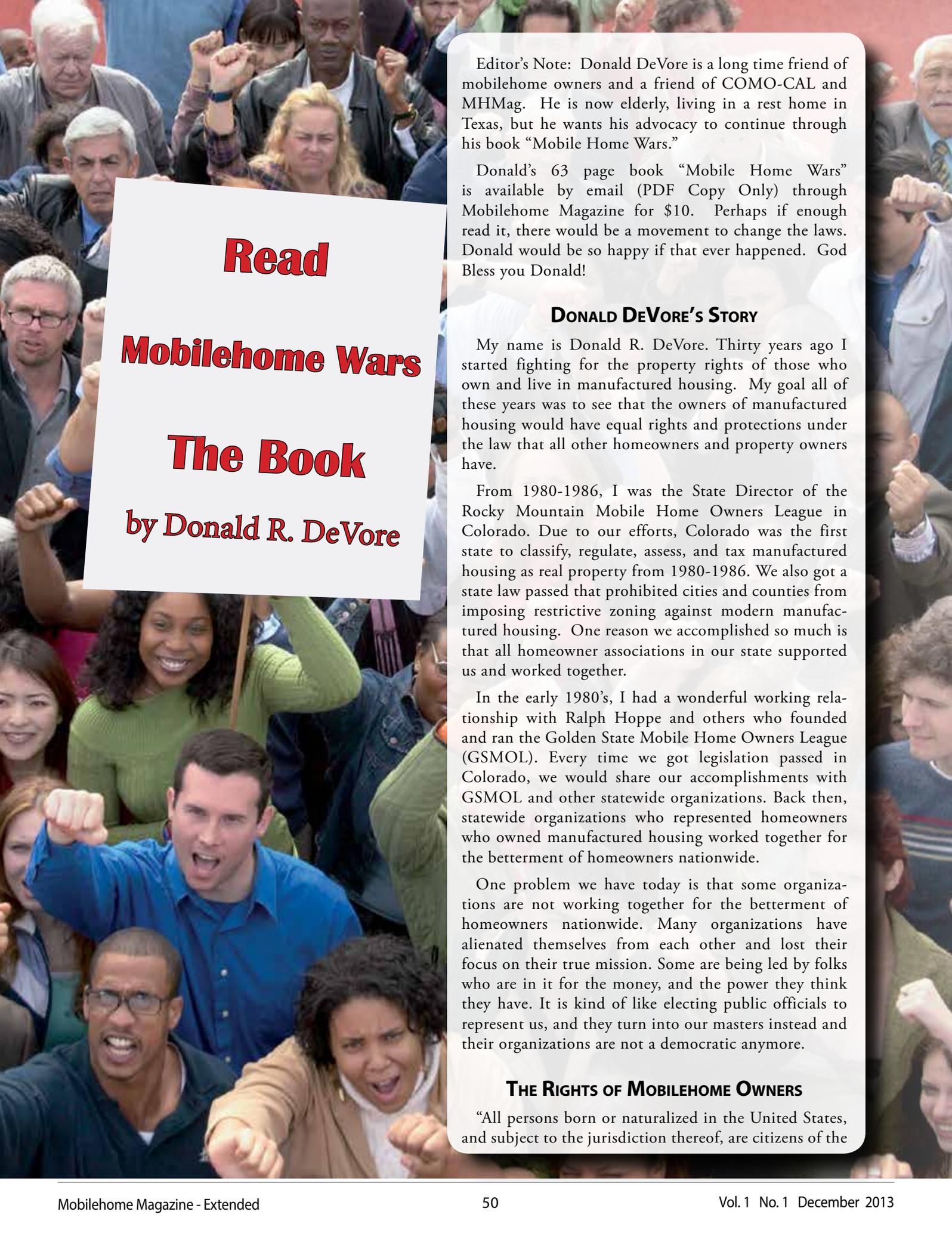
We should also start pushing for legislation to require minimal training for Park managers. I believe homeowners in the State of Washington are advocating for this.

I also read somewhere that legislation is being proposed to grant Manufactured Home owners the same property rights as other real property owners. Financing and other issues need to conform as well. We have virtually no property rights, yet our collective investments in our home equals or exceeds the investments of the Park Owner. We can change things, but we need unity that gives us numbers because as individuals we have little or no power.

There are surely other ideas that could help us attain our

rightful place in the scheme of things. This is a feeble attempt to stir the pot, but it will take an effort by many homeowners to get the ball rolling. I hope there are hundreds or thousands of you willing to step up and make the effort to improve our lives. We need to use every vehicle available to us in our efforts and leave no stone unturned as we fight for rights, and a little respect. Article by Lloyd Rochambeau, San Marcos, CA

The advertisement for Weibel Insurance Agency, Inc. features a logo on the left consisting of a blue circle with a white 'W' inside, and a photograph of a house below it. To the right of the logo, the text reads "Specializing in manufactured homes" and "WEIBEL INSURANCE AGENCY, INC.". Below this, contact information is provided: "P.O. Box 335, Oakdale, CA 95361, 1-800-653-5565, (209) 848-3600, Fax (209) 848-3656, scott@weibelinsurance.com". On the far right, there is a portrait of Scott Wilson, an Insurance Agent with license #OC53493.



Read
Mobilehome Wars
The Book
by Donald R. DeVore

Editor's Note: Donald DeVore is a long time friend of mobilehome owners and a friend of COMO-CAL and MHMag. He is now elderly, living in a rest home in Texas, but he wants his advocacy to continue through his book "Mobile Home Wars."

Donald's 63 page book "Mobile Home Wars" is available by email (PDF Copy Only) through Mobilehome Magazine for \$10. Perhaps if enough read it, there would be a movement to change the laws. Donald would be so happy if that ever happened. God Bless you Donald!

DONALD DEVORE'S STORY

My name is Donald R. DeVore. Thirty years ago I started fighting for the property rights of those who own and live in manufactured housing. My goal all of these years was to see that the owners of manufactured housing would have equal rights and protections under the law that all other homeowners and property owners have.

From 1980-1986, I was the State Director of the Rocky Mountain Mobile Home Owners League in Colorado. Due to our efforts, Colorado was the first state to classify, regulate, assess, and tax manufactured housing as real property from 1980-1986. We also got a state law passed that prohibited cities and counties from imposing restrictive zoning against modern manufactured housing. One reason we accomplished so much is that all homeowner associations in our state supported us and worked together.

In the early 1980's, I had a wonderful working relationship with Ralph Hoppe and others who founded and ran the Golden State Mobile Home Owners League (GSMOL). Every time we got legislation passed in Colorado, we would share our accomplishments with GSMOL and other statewide organizations. Back then, statewide organizations who represented homeowners who owned manufactured housing worked together for the betterment of homeowners nationwide.

One problem we have today is that some organizations are not working together for the betterment of homeowners nationwide. Many organizations have alienated themselves from each other and lost their focus on their true mission. Some are being led by folks who are in it for the money, and the power they think they have. It is kind of like electing public officials to represent us, and they turn into our masters instead and their organizations are not a democratic anymore.

THE RIGHTS OF MOBILEHOME OWNERS

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the

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

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

For 30 years the landlords thorough their own organizations have fought to protect their property rights, and the privilege of controlling the property rights of the home owners and property they do not own. This is made possible by all parties concerned using the wrong premise of law concerning manufactured housing on leased land. Under state Real Estate Land-Lease Laws, all property on leased land are regulated by this law except for manufactured housing. You have mountain cabins, all types of buildings, and even conventional housing developments sitting on leased or rented land that are regulated by Real Estate Land-lease Laws.

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

MOBILE HOME WARS

My book is called “Mobile Home Wars” and covers 28 years of history and legislative activity concerning manufactured housing. This book is for homeowners so they can get the information they need about the laws and issues that regulate them nationwide. I am happy that Mobilehome Magazine is giving you an opportunity to read my book. I would hope that Californians would support this organization and join their effort to obtain the same rights and protection under the laws for all Californians who own and live in manufactured housing

God Bless, Donald R. DeVore

Mobilehome Wars - Table of Contents

Introduction	Ch-9: Home Owner Associations
Ch-1: The History Of Mobile/Manufactured Housing	Ch-10: Legal Battles
Ch-2: Transformation Of Mobile/Manufactured Housing	Ch-11: Financing And Insurance For Manufactured Housing
Ch-3: Manufactured Housing Institute	Ch-12: Tax Supported Agencies
Ch-4: Mobile Home Landlord/Tenant Laws	Ch-13: Management
Ch-5: Assessment And Taxation Of Manufactured Housing	Ch-14: Rental And Lease Agreements
Ch-6: Classifying And Regulating Manufactured Housing	Ch-15: Governmental Agencies
Ch-7: Manufactured Housing Issues	Ch-16: Legislation For The Future Model Manufactured Housing Act Declaration & Legislative Intent
Ch-8: The Image Of Manufactured Housing	

Order & Donation Form

The FAQ Handbook, described on the previous page is a “must have.” Ordering is simple. Just fill out the form below and send it with a check made out to “Mobilehome Magazine.” We will mail your Handbook within 24 hours of receipt of your order.

SUPPORT MHMAG

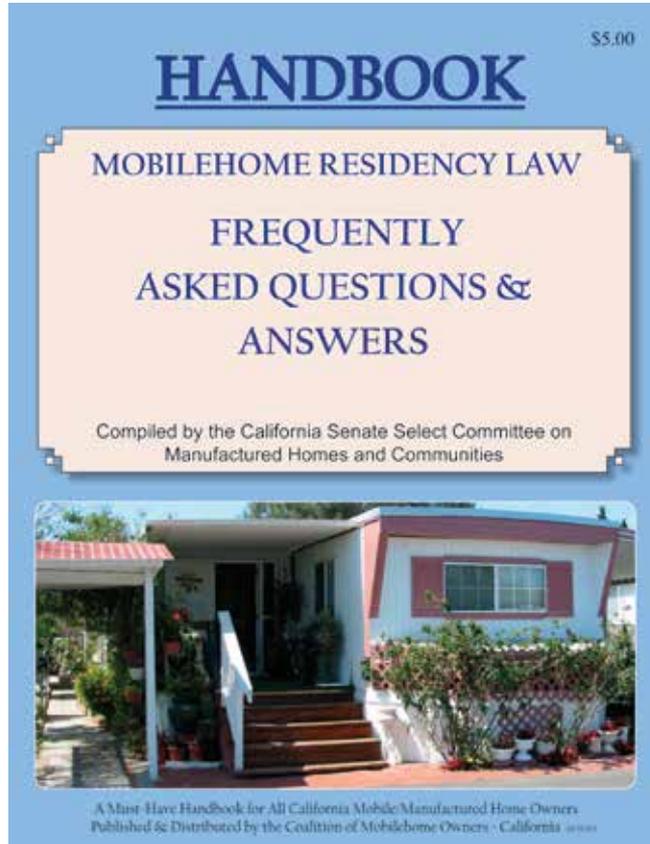
There are several ways you can support Mobilehome Magazine.

a. Distribute in your park.

It is a big help when you volunteer to distribute MHMag in your park. Remember the law allows the distribution of the magazine in your park, but only by a park resident. We will pay anyone volunteering to distribute in their park 5 cents per copy.

b. Write an article.

Remember, this is your magazine. Please step up and write an article of interest to other mobilehome owners



- what’s happening in your park, successes you may have had, etc.

c. Please donate. We publish Mobilehome Magazine on a “shoestring” budget. To date we have distributed 170,000 magazines. We appreciate any donations you might send our way and please know 100% of all donations go to support our efforts to educate and inform California mobilehome owners.

d. Send us your email address. We soon will have an email network in California to link residents.

e. Email or write us. Tell us how we can improve MHMag. What kind of articles would you like to see? And we appreciate your feedback.

f. Above all, please read Mobilehome Magazine and educate yourself. You need

to know the basics and where to go to get assistance. We will continue providing you up to date, accurate information.

THANK YOU FOR YOUR SUPPORT!

Order / Donation Form (PLEASE PRINT)

NAME: _____ Date _____

MAILING ADDRESS: _____ E-MAIL: _____

SPACE # _____ CITY: _____ STATE: CA. ZIP: _____

PARK NAME: _____ PHONE #: _____

- I’ll deliver magazines in my park. I need _____ magazines.
- Donation Amount: \$ _____
- FAQ Handbook: \$6.00 (delivered to you by first class mail)

Thank You! Your donation helps us continue our work!

INCLUDE CHECK OR MONEY ORDER PAYABLE TO “Mobilehome Magazine”

MAIL TO: Mobilehome Magazine, P.O. BOX 3774, CHATSWORTH, CA. 91313-3774

THANK YOU FOR SUPPORTING MOBILEHOME MAGAZINE