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Mobilehome Magazine

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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
Kort & Scott Take Over Blue Star	Page 5
Letters to the Editor	Page 6-7
Management Uses Credit Report to Deny Tenancy	Page 8
This and That.....	Page 9
A Tale of Unmitigated Greed, Fear and Loathing in Paradise - Part 1	Page 10-11
I Get It	Page 12
How to Resolve Issues in MH Parks	Page 13
Mobilehome Parks Act - Title 25	Page 14
Governor Signs Jackson Mobilehome Bill.....	Page 15
Frequently Asked Questions Handbook	Page 18
Order Form for Handbook & Donations.....	Page 19

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From the Desk of the Editor



Happy Thanksgiving. It's almost the end of another year and Mobilehome Magazine has finally discovered the key: the publication of local magazines. This month we are publishing four different magazines, and next month we hope to add San Jose. With your help we hope to add several more areas in 2014.

We are grateful for many things this holiday season. We are grateful to those who have donated, we are grateful for the over 100 volunteers who give their time to distribute the magazine door to door and we are grateful to those who write articles and share their experiences. Slowly but surely we are building a terrific foundation to network, share, communicate, and unite mobilehome owners.

We are also grateful to those who take the time to write telling us we are doing a good job how they appreciate the magazine. There are a few who criticize us, but we can't please everyone. Some say they want to read more "success" stories; however the news coming our way is usually negative, i.e. residents under siege! Take the folks in Winchester who are fighting to keep their land and zoning so their park is not developed into condos. Take the folks in Pacific MHP in Huntington Beach who are organizing to fight Star Management and outrageous rent increases. Take the small park in Soquel where they are trying to get an abusive manager replaced. The list goes on and on.

Our philosophy is not to sugar coat an issue mobilehome owners face. We are sorry to say that many advocate groups and individuals are history, more and more of us face economic eviction, there is wide-spread apathy and complacency and problems such as management intimidation and harassment, interference of sales, etc. seem to continue unabated. I wish I had brighter news.

All is not lost, however! There is hope. The magazine is bringing more and more mobilehome owners together. The communication lines are busy. And folks are organizing. Hopefully, soon, there will be a "Dispute Resolution Program" in California just like the one in Washington State. Then we won't have to hire an attorney to enforce the law, the office of the California State Attorney General will be involved.

In the meantime, read Mobilehome Magazine and know you can do something. You can help organize your park, and you can purchase a Handbook to help understand the MRL better. Take heart in the groups, like Linda Vista, that have organized and are successfully fighting their park owner.

We at Mobilehome Magazine wish you and yours a very Happy Thanksgiving.

Frank A. Wodley,
Editor & Publisher,
Mobilehome Magazine

Mobilehome Magazine

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Kort & Scott Take Over Blue Star

Many residents of Blue Star Mobile Home Park (Blue Star) in Lopez Canyon (Sylmar, north of Los Angeles) are fearful of soon losing their homes because of aggressive, frequent, and legal space rental increases by a new corporate landlord, Kort and Scott Financial Group (Kort). Kort purchased the park on January 1 of this year and Blue Star is one of 52 such holdings owned by the organization.

This sale poses some ominous potentialities for tenants, according to Glen Bell, park tenant and president of Neighborhood Friends. His grass roots organization advocates, among other ideals, the "right to prevent the taking of our home equity and our home ownership by any land owner bent on forcing us to abandon our homes by continually increasing rents beyond our measure to pay." However, since mobile home owners only rent the land their homes sit on, corporate interests, such as Kort, and Equity Lifestyles, headed up by Sam Zell, are treating their tenants simply as renters and sometimes even much less kindly, according to Bell.

Zell's company purchased 249 mobile home parks in California in one day. It is Bell's opinion, which he basis on his review of relative business plans, that the objective of these types of companies is to eliminate all rent controls in the United States. This would be to the detriment of the disabled, working poor, and the retired elderly who no longer have the time to put their world back in financial order again.

For those who are able to remain at the parks, there are other concerns, such as utilities discounts that park residents may have been receiving before the new owners took over the property. However, in some cases those discounts seems to have vanished. In other instances, there is an immediate reduction in park staff personnel by the new proprietors, which were justified as "cost saving measures." Less staff members raises concerns about safety and security for many residents, especially the elderly and disabled.

Although the Mobile Home Residency Law (MRL) has been on the books for 30 years, it is Bell's view that it has done little to protect its intended benefactors from illegal and immoral business practices. He also states that the Golden State Mobile Homeowners League GSMOL) as an advocacy group whose purpose was to monitor applications of the MRL has been totally ineffectual.

Bell has been in communication with many local and state representatives. He is dismayed to learn how little any of them knew about the current predicament facing mobile home park tenants. He found it even more alarming that they expressed little or no interest in doing anything about it. However, Bell said that there is one notable exception: Alex Padilla, Councilman, 7th District. Upon being appraised of the circumstances at Blue Star and other like properties, Padilla introduced a bill before the Los Angeles City Council addressing a number of safeguards for mobile home park tenants. Upon further investigation by his office, on September 4 of this year he submitted an amended version of that bill which contains much stronger and compelling language. The rent at Blue Star has been increased by only \$129.00 this year, according to Bell.

He believes the reason is only because of a huge ground swell of protest by a tremendous number of people. He doesn't know how long it will last and thinks it's time for the government to finally step in and protect low income housing from totally disappearing. According to Bell's organization corporations like Kort and Equity Lifestyles currently own 30% of all mobile home parks in California.

Mobile home park tenants are at a distinct disadvantage in one important area. Although they live in mobile homes, their abodes are really not that mobile. Only 1% of these homes are actually ever relocated because it is far too costly. The feeling among owners now is that with such dramatic rent increases it makes moving their home even more improbable. Continued on page 15.



Letters to the Editor

LET'S MAKE ALL RENTAL PARKS ILLEGAL

Editor's Note: Actually the following is not a letter to the editor, rather a post on a message board called Mobile Home Owners Forum (MHOF), 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!"

Any mobilehome owner can join this Yahoo group. There are about 100 members today and they are usually discussing current topics of interest to the mobilehome community.

The following is Jerry's Post:

How about a bill that would make ALL rental parks illegal? The park owners would have a 5 year 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 years & 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

Management Uses Credit Report to Deny Tenancy



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.

Lori Ann Day

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, we emailed Winchester Ranch resident Phyllis Tripp suggesting what we could do to help residents organize San Jose. She discussed our offer with a few of her friends and neighbors, and the magazine was born! At that point we began working to develop additional park contacts and advertising! Our goal is to begin MHMag - San Jose by December 1, 2013.

OUR BELOVED ADVERTISERS AND READERS

Our advertisers are taking a chance on us because we are a new magazine with a gradually increasing distribution network. Advertisers don't really know what to expect, but are looking for ways to reach new markets. And we understand our readers, are just getting to know us. Remember, without advertising dollars there would be no Mobilehome Magazine (MHMag).

This is what we suggest: a) If you need insurance, or new 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. **If you would like to use a credit card for a donation or purchase a Handbook, go to the Products section.**

AN ANONYMOUS ABOUT MOBILEHOME MAGAZINE

Recently we received an anonymous note, on the mark or not as follows:

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

In truth, the record shows we have worked with GSMOL (Golden State Manufactured Home Owners League) enthusiastically through-out the years. Whenever GSMOL requested our help, we were there for them. In 2009, GSMOL invited COMO-CAL (Coalition of Mobilehome Owners - California), 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 Board rejected the plan without comment.

In 2009, we invited several groups, including GSMOL, to two "brainstorming sessions" on working together. The photo shows several groups were represented, including GSMOL (Jim Burr), MHOC (Mobilehome Owners Coalition), and COMO-CAL. Unfortunately, little or nothing was accomplished when it came to combining and coordinating efforts.



Over the years, we have distributed thousands of post cards at our own expense in support of GSMOL's legislation endeavors. We have striven to include articles in our newsletters about their activities and in support of their membership drive.

Now, just recently we reached out to the new GSMOL president, Mary Jo Baretich, asking her to meet. In fact, in April 2013 we sent the GSMOL Board of Directors a letter pointing out the strength we could muster if we were working together on behalf of mobilehome owners. See June & October 2013 MHMag for details.

Perhaps the writer of the note didn't take the time to fully read, understand or have access to MHMag. Maybe they sent a similar note to GSMOL that reads: *"When you "make up" with Mobilehome Magazine, I will become a GSMOL member. We need a United Front."*

Maybe it's just "good old fashion politics." The sort of thing that's going on in Washington D.C. and yes, grid lock! Whatever it may be, let's just get rid of it and UNITE.

If everyone focused on how best to serve mobilehome owners, we would accomplish much more. For certain, Mobilehome Magazine is willing and able to work with any individual group or organization. We have lots of ideas and a network that will reach thousands of mobilehome owners. Working together is our optimum option and we are prepared to do our share.

A Tale of Unmitigated Greed, Fear and Loathing in Paradise--Part One

Situated atop a scenic coastal canyon mesa in the Linda Vista area of San Diego is Linda Vista Village (LVV)--a mobile-home park that was specifically created as an affordable housing community for homeowners who were displaced from mobilehome parks elsewhere in San Diego in the late 1970s.

Set in the central part of the city, LVV residents enjoy the amenities of San Diego's coastal climate with cool onshore breezes and warm sunshine. Linda Vista translates as "pretty view" and many home sites of this 220-space park are perched on the mesa's rim overlooking 900 plus acres of dedicated open space, Tecolote Canyon Natural Park. What could possibly spoil the appearance of paradise?



Two words: exorbitant rents. Add a few more descriptive words: an unaffordable rent increase structure. A rent structure that has begun to result in economic evictions for residents—many who have lived here for years, like myself, and some who have called LVV home since the park's inception in 1979.

Although originally an affordable MHP community serving a valuable public purpose (from the masterlease itself "...to provide housing opportunities to both low-income persons and families and to elderly persons and families."), living in LVV has devolved into the exact opposite due to a lease amendment in 1983 between the City of San Diego--the property owner--and the leaseholder who manages the park. This amendment calls for annual rent increases of between 5 to 9 percent, supposedly tied to the Consumer Price Index.

Back in the early 80s, when rents were only \$200/month and during a time of rampant inflation, 5% annual hikes

seemed reasonable and didn't amount to much. But, keep in mind that this rent structure equates to annual compounded interest. Yearly increases are not based on the rent amount when the lease amendment was approved—rather they are calculated on the previous year's rent.

Over time, LVV residents have seen base rents skyrocket from \$775/month only 3 years ago to almost \$900/month today. Under the current lease terms, our monthly rents will soon be in the 4 digits with no end in sight until the masterlease expires in 2034. That is, if any residents are still around by then who are able to pay what will be a staggering \$2500 per month. And that's just space rent—it doesn't include other expenses such as home mortgage payment, sewer & water, trash collection and utilities. Also, this outrageous figure is calculated on the annual gouging staying at "only" 5%. The landlords could raise the rent as high as 9% each and every year for the duration of the lease. If that were to happen, rents would go completely off the charts, which would exacerbate an already tenuous situation.

This is to say nothing of the fact that throughout the Great Recession, when the CPI actually declined, the 5% annual increases mercilessly marched on. This unjust profiteering continued despite a outcry from an overwhelming majority of residents who petitioned the leaseholder in 2011 to refrain from increasing rents during those years of the grim economic downturn, which still lingers on for many residents today and is only aggravated by the ever escalating rents.

The leaseholder's response? Despite the recession's severe impact, they refused to stabilize the rents stating that the increases were "fair." Their so-called "solution?" Those of us that cannot afford to live in a mobilehome park in San Diego move to "Arizona" or elsewhere. They further insulted all who live here by stating that elderly residents generally own their home free and clear so their only housing payment is the space rent. Of course, their claim flies in the face of financial reality. Real housing costs, in addition to those listed above, also include property taxes, homeowners' insurance and upkeep. Any mobilehome owner can attest to the fact that maintenance expenses alone over time can easily amount to thousands of dollars above and beyond simply paying space rent.

In short, these rent increases are creating severe financial hardships, and already causing several economic evictions. Particularly hard hit are those living on fixed incomes who are forced to choose between either paying their rent or other indispensable necessities.

In the autumn of 2011 the Linda Vista Village San Diego Homeowners Association (LVVSDHOA) tried in good faith to negotiate a fair and equitable real solution including:

That our current rent amount be adjusted to “San Diego County MHP market average rent”, and that rents paid in excess of the “market average rent” be refunded since the time the original lease agreement was assigned to the current Lessee (1997); and,

That the current annual rent increase calculations for Linda Vista Village, based on the 1983 amendment to the lease between the Lessor and Lessee, be amended to reflect the lesser of the annual increase to the CPI or 5%. We base this request on the negligible percentage increases (in some instances decreases) in the CPI over the past 26 years. The annual increases in the CPI no longer warrant an annual rent increase of 5% (as was the case in 1983) for the residents of LVVMHP.

These requests were included in our petition, but the leaseholder failed to address them. We earnestly attempted to convey that the “business as usual” rent increases are no longer warranted and create a growing sense of urgency and desperation among many LVV residents.

There was no further response from the landlord. They already told us to move if we didn't like it—enough said. So much for upholding the lease mandate of providing “affordable housing” at LVV, which they are signatory to. It was clear that their almighty bottom line was unethically driving policy—this from a company who recently joined with a development company to form “Inspire Communities.” Their new motto “Enriching American Lives Through Affordable Housing Communities,” should more truthfully read “Enriching OUR Lives Through Unaffordable Housing Communities.”

LVVSDHOA's Rent Stabilization Committee, of which I am a member, conducted extensive research during the summer of 2011 and discovered that the MHP average monthly rent in San Diego County was \$687. At that time \$813/month was being extracted from each LVV

homeowner—again with no end in sight to the egregious increases that are announced each November, just in time for the holidays.

So, there we were. Despite our best efforts at initiating negotiations aimed at a reasonable solution we were stonewalled--the lessee wasn't really interested in engaging in meaningful dialogue with us. And why should they? They are sitting on a cash cow, lining their pockets with excessive profits pried from our hides.

In 2012 we found ourselves stuck between a proverbial rock and a very hard place. What to do? Hold on as long as possible until we can't pay the increases and be evicted for non-payment? Or fight. Was restoring LVV to a truly affordable place to live worth fighting for?

Fortunately, coming from a position of strength by holding the ethical and moral high ground, our strong HOA board, in conjunction with concerned residents, wisely chose to challenge the status quo. After a vote, with the vast majority of HOA members in support, legal action was initiated by Peter Zamoyski, Esq. of Tatro & Zamoyski, LLP, a law firm with extensive experience in mobilehome park litigation. A lawsuit was filed against both parties to the lease—Tecalote Investors LLC, the lessee, and the City of San Diego, the lessor--in November of last year.

So ends Part One of our tale to right a wrong—a wrong that affects the lives of hundreds of residents who long to live in a mobilehome community that is genuinely affordable and provides sorely needed housing for low-income families and elderly persons. Part Two will be featured in December's edition—be looking for it!

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



I Get It by Frank Wodley, Publisher MHMag

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

The choice seemed perfect. The mobilehome you were buying was in a park that was well kept. The park manager seemed nice and helpful. 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. And there was a "community" atmosphere.

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

Little did you know what you were getting into. You just wanted to live in peace and quiet, enjoying what years you had left, perhaps tending to your garden or making short trips to scenic places, or enjoying your grand kids.

I GET IT because that describes me also. I moved into Chatsworth Mobile Home Park about 15 years ago. 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. But it finally happened. Shortly after that we received our first seven day notice for weeds in our front yard. I couldn't figure it out because we don't have a front yard!

It was downhill from there. I can't count the number of confrontations I've had with management and number of seven day notices I received. Management had a campaign of harassment. They wanted folks to leave. They also wanted to evict folks. Their bottom line was MONEY. 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 was afraid and felt that would only bring the manager down on me more. After another year, a GSMOL representative was invited 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. LOL (Laugh out loud). The rest is history.

By the way, Chatsworth MHP now has a terrific manager and folks are much happier living here. The harassment and intimidation are gone. As an aside: This too could also change over night!

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 little or 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 at De Anza in Santa Cruz or Linda Vista in San Diego or Winchester in San Jose. 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 hide out. You can be apathetic or complacent. But ultimately you will lose. You will lose thousands of dollars in equity, you will pay ever higher rents and you will lose your rights. But there can be change! 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's good advice! Still stuck? Call me at 800-929-6061 or email me at fawodley@yahoo.com. I will take my time to advise you and give you some direction. Only you can make change. Don't think anyone else is, cuz they aren't.



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.mobilehomemagazine.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.)

YOU NEED TO HELP YOURSELF!

No one can do it FOR YOU. You have make an effort to help yourself. As an example, last month we distributed a survey: Rate Your Park - Let Your Voice Be Heard. Although the October magazine has been out only two weeks, we have received only 13 responses out of 20,000 magazines. **Why haven't YOU RESPONDED???** Here is your chance to make a difference. Our goal was to reward those parks doing a good job and to expose those who were not. It won't happen without your input. There is NO RISK to you (your info is confidential) and it only takes a \$.46 stamp. Wake Up!



MOBILEHOME PARKS ACT

(The Health and Safety Code and Title #25)

I believe every mobilehome owner should be aware that the Department of Housing and Community Development (HCD) is the California Government Agency responsible for the administration and enforcement of the **Mobilehome Parks Act**, which contains the standards and requirements for construction and maintenance of a mobilehome park. Provisions required and approved for a park owner to obtain a Conditional Use Permit (CUP) to build a mobilehome park. The Provisions are for the **construction, use, maintenance and occupancy** of mobilehome parks, mobilehome lots, permanent buildings, and accessory buildings and structures, #1000. These standards and requirements of the (CUP) must be provided before a park owner's Permit to Operate is issued #1010. For an annual renewal of the park owner's Permit to Operate the park must be maintained, "In accordance with the provision of the California Health and Safety Code". It is unlawful to construct additional buildings or lots, alter buildings, lots, or other installations, in an existing park #18500 (c).

A few of the important standards and requirements to be provided as per the CUP are; excavating and grading #1054, the park area should so be graded that there will be no depressions in which surface water will accumulate #1610, lot identification #1104, mobilehome shall not exceed 75% of the lot area #1110, utility installations **required to be provided** to the lots #1328, Electrical #1130, Fuel Gas #1200, Plumbing #1240, An alternate permit is required if any changes are made in the CUP #1018. Whenever construction work is in violation of the provisions of the CUP the enforcement agency may order the work stopped by written notice on the person doing the work #1046.

These standards and requirements of the CUP are the terms and conditions of a homeowner's contract to place his or her home investment in the park. After park approval is given for the installation of a mobilehome #1032 (d), and the home is installed, the agency issues a Statement of Installation Acceptance (Certificate of Occupancy). Then I believe

it takes approval of both parties to agree to any changes. The Legislature has deemed that these standards and requirements of construction, use, maintenance, and occupancy should guarantee mobilehome park residents maximum protection of their investment #18251.

It is the statutory duty of HCD Administrators to see there is maintenance compliance with the Health and Safety Codes. The maintenance responsibility of the utility installations #1604 and the maintenance compliance for permanent buildings #1636, HCD has been given the right to issue penalties or suspend or revoke the park owner's Permit to Operate.

I believe, the problem has been that when mobilehome owners contracted to place their home investments in the park they were not aware of these codes or have the financial resources to get a court opinion. This is why I believe it is so important for a mobilehome owner to know the standards and requirements of these codes.

Other Codes and facts that might be good to consider are;

MRL 798.19. No rental agreement for a mobilehome shall contain a provision by which the homeowner waives his or her rights under the provisions of Articles 1 to 8, inclusive of this chapter. Any such waiver shall be deemed contrary to public policy and void. MRL 798.16 The rental agreement need not include specific language contained in state laws.

H & S Code #18015 Applicability. The Act

applies to all parts of the State and **supercedes any ordinances** enacted by any city or county which conflict with its provisions.

In March 1993, the California Court of Appeal upheld a Superior Court Case which again confirmed the fundamental concept that an illegal act cannot be enforced by a court of law.

Constitution of the State of California, Article I, Declaration of Rights, Sec. 3. The people have the right to instruct their representatives, petition government for redress of grievances.

Webster's definition. Provide- To supply for use- To furnish. Tenancy- The period of a tenant's occupancy or possession.

Article by Donna Matthews. Donna can be contacted through Mobilehome Magazine.



Governor Signs Jackson Mobile Home Bill

September 26, 2013 by Lisa Gardner

SACRAMENTO – Governor Jerry Brown has just signed a bill by State Senator Hannah-Beth Jackson (D-Santa Barbara) to prevent lawsuits and give mobile home residents a voice when their mobile home park is being subdivided and sold.

Existing law allows mobile home park owners to subdivide and sell the individual lots on which homes are placed. This is commonly referred to as a “condo conversion.” But without clarity in current law, condo conversions have commonly left mobile home park residents without a say in the process and cities confused about how to proceed.

If a majority of mobile home park residents do not support a sale, Senate Bill 510 allows – but does not require – a local government to disapprove of the conversion.

“I am thrilled that this bill has been signed into law,” Jackson said. “This will give local governments the much-needed clarity in the law they’ve been asking for, so that costly lawsuits will be prevented. Mobile homes are also a source of affordable home ownership, and this will give residents an important way to have a voice in the process when their parks are being subdivided and sold.”

Ventura County Supervisor Steve Bennett said: “The approval of Senator Jackson’s SB 510 provides a tremendous relief for both mobile homeowners and local governments. Local governments and their taxpayers will no longer have to face costly litigation over unwanted subdivisions

of mobile home parks. This bill protects affordable housing, protects local governments and taxpayers, and brings closure to many years of litigation over this issue.”

“This is a great victory for low-income homeowners who have been fighting to ensure that their voice is heard when local governments are considering proposals to convert the land underneath their homes,” said Brian Augusta, legislative advocate for the Golden State Manufactured Home-Owners League. “Governor Brown’s action today gives them the right to be heard and protect their investment in their homes.”

Current law on the issue has been unclear, and the uncertainty has led to dozens of lawsuits. The City of Goleta has spent more than a half million dollars just on litigation expenses related to the conversion of the Rancho Mobilehome Park. California has nearly 5,000 mobile home parks. Typically, residents own their mobile homes but rent the spaces in which their homes are placed.

The bill has the support of a number of groups, including the City of Ventura, the County of Santa Barbara, and the County of Ventura, the Goleta Manufactured-Home Owners Coalition, and the Ventura Manufactured-Home Resident’s Council.

Jackson represents the 19th Senate District, which includes all of Santa Barbara County and western Ventura County. Contact: Lisa Gardiner (916) 651-4019, lisa.gardiner@sen.ca.gov <http://sd19.senate.ca.gov/news/2013-09-26-governor-signs-jackson-mobile-home-bill>

Continued from page 5.

So, in essence, the homeowner has become a “captured consumer” to the landowner. So, according to Bell and other members of Neighborhood Friends, once the rental rates rise beyond the ability of the low income, senior, and disabled persons’ ability to pay, they will have no choice but to abandon their homes.

Bell and his organization’s supporters believe that once the new corporate park owners orchestrate a 50% vacancy rate by raising rental fees to an unattainable level for the majority of residents, they can then declare the operation a nonviable business. At that point they could apply for a Change of Use Permit for property redevelopment.

Historically, mobile home owners have experienced average annual increases on their rental spaces of approximately 3%. The companies that are buying up these properties have the “right”, with proper notification, to raise rents 18 to 40% every ninety days throughout the

year. One of the California parks saw a rental increase of 400% last year because there are no rent control laws requiring a cap on the amount of rental a landowner can charge for a 20 X 50 foot space. Most mobile home owners can not afford such increases and have few alternatives. They must either pay the higher rent, try to sell their homes at less than market value, or vacate the premises, thereby absorbing huge financial, emotional, and psychological losses. A drive through the Blue Star park reveals one particular mobile home with a hand written weathered sign planted out front: For Sale--\$19,500. “Last year that home would have sold for over \$200,00”, says Bell.” You can probably buy that home today for around thirty five hundred dollars”, he added. So, for many mobile home park tenants, like those at Blue Star, it may well be a matter of home owner one day, and homeless the next. Vincent DiNova

Editors Note: This article is 7 years old and Neighborhood Friends has closed it’s doors. The article shows nothing has changed! Let’s organize to stop this now.

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Currently I have a TV service provider offering monthly programming with 120 channels for only \$29.99 a month. This includes FREE installation, FREE Equipment upgrades to HD-DVR receivers, all the premium channels FREE for 3 months and FREE HD programming for the life of your service.

I have another company that will offer all these same benefits but in addition you will also receive for one year a subscription to every NFL Football game FREE for one year. This provider charges \$34.99 a month.

In addition, I work with several internet service providers that offer speeds of up to 100 MBPS and pricing packages that start as low as \$19.99 a month with a five year price lock.

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From the Archives: Early (2005) photo of a COMO-CAL meeting in Sylmar, Ca.

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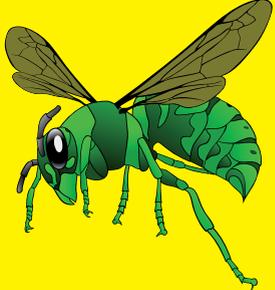
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The Handbook of Frequently Asked Questions & Answers

The 36-page Frequently Asked Questions and Answers HANDBOOK is designed to answer 58 of the most pressing questions mobile and manufactured homeowners have about the Mobilehome Residency Law (MRL) and issues that might arise in rental parks. It was compiled by the Senate Select Committee on Manufactured Housing. We feel all mobilehome owners should have a copy of the Handbook to use when questions arise.

We have sold over 1,500 Handbooks to date to both residents and managers. It is an invaluable reference guide you will use over and over.

We at Mobilehome Magazine often refer to the Handbook when someone calls us for assistance. And managers and park owners also purchase the Handbook. Why not! Everyone needs it.

The FAQ Handbook is only available through Mobilehome Magazine. Each Handbook costs \$6. This price includes first class postage direct to you (about \$2). Simply fill out the form on page 19 and mail it to Mobilehome Magazine, P.O. Box 3774, Chatsworth, CA. 91313. You will be happy you did. We will send it first class mail as soon as we receive your form.

Rents, Fees & Taxes	4	Pets	15
Rent Increases	4	Parking Problems	15
Pass-Through Fees	4	Subleasing	15
Short Notice of Rent Increase	4	RV's in Mobilehome Parks	15
Back Rent	5	Caregiver Residency in Park	16
Club House Deposits	5	Park Maintenance, Inspections & Services	16
Security Deposits	5	Failure to Maintain the Park	16
Deducting Rent - Lack of Park Utilities	6	Mobilehome Park Inspection Program	16
Withholding Rent if Park Loses Permit	6	Reduction of Park Services	17
Late Fees	6	Lot Lines	17
Mobilehome Property Taxes	6	Trees and Driveways	17
Property Taxes Too High	7	Responsible for Pre-Existing Code Violations	18
Section 8	7	Permit for Remodel, Mobilehome	18
UTILITIES	8	Home Rehabilitation Assistance	19
Park Utility Costs	8	PARK CONVERSION TO RESIDENT OWNERSHIP	19
Separating Charges	8	Park Condo Conversion	19
Park Cable TV Antenna System Fees	8	Right of First Refusal to Buy Park	19
Water Charges in Park	9	Law Appl. to Resident Owned Parks	20
LEASES & RENTAL AGREEMENTS	9	PARK OWNERS & MANAGERS	21
Long Leases Exempt from Rent Control	9	Park Manager Intimidation	21
Leases in Language Not English	10	Park Violations of The Mrl.	21
TERMINATION OF TENANCY	10	Contacting Park Owner/Operator	21
Eviction for Late Payment Of Rent	10	Management Not Available in Emergencies	22
Eviction for Rule Violations	10	Park Manager Entering Lot	22
Termination at End Of Rental Agreement	11	HOME SALES, RESALES & TRANSFERS	23
Rights in Park-Owned Mobilehomes	11	Selling Home in Place in the Park	23
Park Closure	12	Resale of a Park Model in the Park	23
PARK RULES & REGULATIONS	12	New Buyer Income Requirement	23
Rules v. The MRL Rule Changes	12	Rights of Heirs Inheriting Mobile	24
Selective Enforce of Park Rules	13	Used Homes - Resale Disclosure	24
Senior Park Changed to All-Age	13	Homeowners Required to Sell to Park	24
All-Age Park Changed Back to a Senior Park	14	New Home Defects and Warranties	25
Occupancy Standards	14	Other California Senate Select	
Clubhouse Hours	14	Committee Information	25

Order Form for FAQ Handbook

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.

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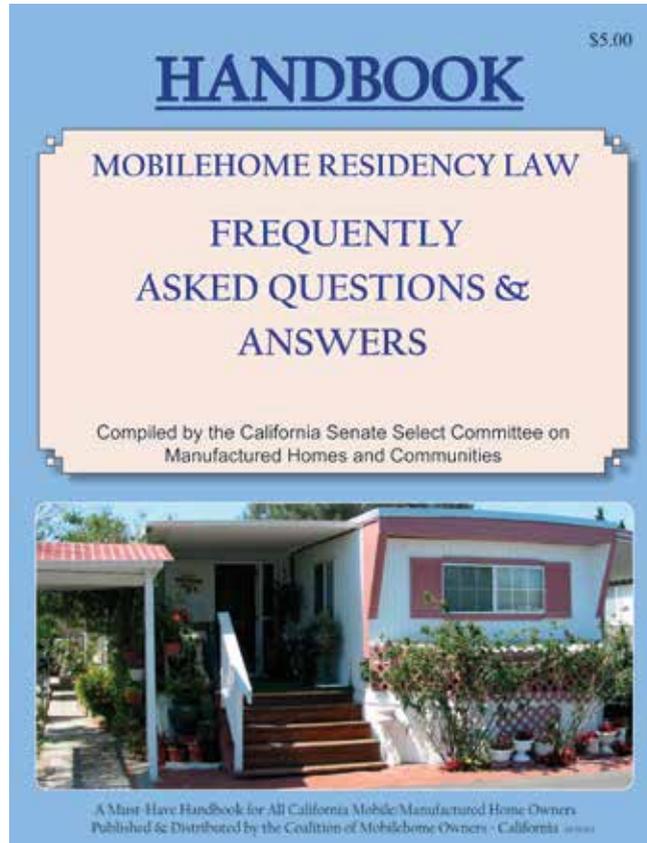
go to get assistance. We will continue providing you up to date, accurate information.

a "shoestring" budget. To date we have distributed 140,000 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 mobile-home 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



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\$120,000	12,000	60,000	24,000	100,000	1,000	371.00

Rates are examples of replacement cost on newer manufactured homes with a \$500 deductible, subject to change, and may not be available in all parks.

