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The Voice of Mobilehome Owners Network

August 2018

Volume 6 Number 8

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# MH Life Magazine

Serving California's Mobile & Manufactured Housing Communities

**Published By *Mobilehome Magazine***

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## Magazines On Line

We have good news for the mobilehome owner community. Now, our last 13 years of magazines are all online, in one place. Simply go to:

www.mobilehomemagazine.org

- Mobilehome Magazine: 83 issues
- The Voice: 60 issues
- Regional Magazines: 21 issues

### View and Download

The nifty thing is that all magazines can be viewed, page by page, and even downloaded! - a page at a time or the whole magazine.

### Index of Articles

As you probably already know, most articles stay timely over the years. That being said, Mobilehome Magazine has created an index of all articles in both Mobilehome Magazine and The Voice. That's over 1,300 articles. The INDEX allows you can search Mobilehome Magazine and The Voice by subject.

Please note: The index is in M.S. Excel, so you must have Excel to view and search. The INDEX is available from Mobilehome Magazine. Just send $5 to Mobilehome Magazine, P.O. Box 3774, Chatsworth, CA 91313. Or you can use a credit card by calling Frank at 818-886-6479.

## No Free Lunch

Mobilehome Magazine has done its best to provide you and another 16,000 homeowners a no cost way to read what's happening in your community. Currently we publish five regional magazines for the mobilehome community.

### Advertising

Businesses advertising in the magazine pay the bills, i.e. they make a free magazine possible. You can thank folks like Myron Hughes of Hughes West-Brook and Gerry Goodie of Goodie & Sons.

Businesses will continue to advertise if and only if you, our readers, call them when you have a need.

I personally have insurance through Hughes West-Brook and I'm very satisfied. Myron Hughes is a terrific guy and believe it or not, very knowledgable about mobilehome issues. Call him and say Hi.

### Our Dream

Yes, just like Martin Luther King, we have a dream. It's a regional magazine serving mobilehome owners in all areas of California. Why not? No cost information!

Please know we are advocates before we are magazine publishers. We know you are better protected when you are connected with your local leaders. And we know the more you know, the better protected you are.

***Knowledge is Power!*** ***Have a blessed August!***

# 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 2,500 Handbooks to date to both residents and managers. It is an invaluable reference guide you will use over and over.

The FAQ Handbook is only available through Mobilehome Magazine. Each Handbook costs $7. This price includes first class postage direct to you (about $2). Simply make out your check to Mobilehome Magazine 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 request.


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# Did You Know?

## Mobilehome Residency Law

The Mobilehome Residency Law has a lot of twists and turns. Here is just one example.

Q. Does a park manager have to abide by the park rules and regulations (R&R) that all residents must obey?

A. Yes and No. MRL Code Section 798.23 (a) The owner of the park, and any person employed by the park, shall be subject to, and comply with, all park rules and regulations, to the same extent as residents and their guests. However (a) does not apply to (b) (2) Acts of a park owner or park employee which are undertaken to fulfill a park owner's maintenance, management, and business operation responsibilities

Let's take an example. My park has a no street parking rule. Management would give anyone parking on the street, no matter how long, a seven-day notice. Our streets are just two feet short of the width required to park on one side.

The no parking rule wasn't because street parking hindered emergency vehicle access, it was just part of the rules and regulations.

While the manager would give other 7-day notices for parking on the street, she would park on the street, sometimes for hours, often just visiting her friends. This fact was presented in court, and her attorney was quick to point out the loophole protecting her.

Park employees DO NOT have to abide by the park rules and regulations when they are conducting park business. That's the law.

## Rules and Regulations

Q. Who writes your park's Rules and Regulations?

A. In many cases they are generic, written by one of 3-4 attorneys around the state who offer the service. This fact is obvious in some. For instance, one park R&R require residents to shower before using the pool. One problem - there are no showers in the pool area.

Recently a resident in a San Fernando Valley mobilehome park noticed several members of a local real estate agency walking door to door leaving flyers, and business cards advertising their company and an upcoming Open House in the park. Of course the agents were both trying to get new business and also trying to sell a home in the park.

By now residents know about signs at park entrances that say NO SOLICITATION. We at Mobilehome Magazine know this all too well. Here are some details:

Mobilehome Magazine is very sensitive to this subject. MHMag is not a solicitation. It is a free magazine, not unlike hundreds that are delivered to residents in parks all over California. Mobilehome Magazine is free, it does not solicit residents to buy or join anything.

We respect the law. We do not enter into parks to distribute the magazine door to door. We know that is against the law. We, however, do ask residents to distribute the magazine.

That right is guaranteed by law and any resident in any park in California may distribute information door to door.

They can place information on porches, in tubes, or other receptacles, but never in or near the U.S. Mailbox.

Q. Was this real estate agency breaking the law?

A. Yes. a) They were not park residents, and the law only allows park residents to distribute. b) What they were distributing was indeed a solicitation, also not allowed by law.

Q. Did management give its permission to leave the flyers?

A. Yes, but management was not following the law. They were allowing a non-resident to go door to door with information that was a solicitation. Both are violations of the MRL. Laws must be enforced equally.

## No Automatic Delivery of MRL

Q. I didn't receive the latest Mobilehome Residency Law in January like I usually do. Why not?

A. As of January 1, 2011, there will be no automatic delivery of the Mobilehome Residency Law to park residents. Instead, residents must ask their manager for a copy.

Manager's are required to give you a copy of the "Resident's Bill of Rights"

# New Listing Magazine Coming in September

Our plan is to begin publishing a new magazine, beginning September 2018. It will be titled: The Listing Magazine. There will be a North issue and a South issue. We expect the size of the Listing Magazine to be 12 pages.

Display rates will be the same as the regional magazines now: $400/full, $250/half, $150/quarter and $100 eighth.

Our goal is to help homeowners who are selling by owner. So those folks will receive a 50% discount on the above rates.

Both issues will contain listings on mobile/manufactured homes from all sources - brokers, realtors, etc. And homeowners. Things like address, broker name, sq ft, a photo of the home, price, age, etc. will be listed. It will include a directory/index by city and one by business name.

You can help. Send me the names of any local businesses that list mobilehomes in your area. I'll contact them to see if they would like to advertise.

Initially, we will print 3,000 copies for the North edition and 3,000 copies for the South edition. Our hope is this Listing Magazine will be distributed along with your Regional Magazine (1,500 for Sac/1500 for Vallejo/1000 for YMRA/1000 for NSDC/1000 for SGV). We know this will added burden on volunteers. So we will be paying 12 cents per magazine ($360 for north and $360 for south) to whoever helps out. It can go to an individual(s) or your regional group.

## Question - We Need Your Input

We serve you. As a consequence, we need your input. Our questions have a YES or NO answer. You can call us with your answer at 818-886-6479, or you can email us at fawodley@yahoo.com. You do not have to give your name or any contact information. We just want your feedback. Just a simple YES or NO.

**Question: Would you like to receive a free magazine listing mobilehomes for sale in your area?**

**Question: Would you take advantage of our 50% offer if you were selling your home by owner?**

# Know Western Manufactured Housing Communities Association (The WMA - The Park Owners Group)

The following "Code of Ethics" is printed from the WMA website (wma.org).

- The residents of mobilehome/manufactured housing communities, as homeowners, can expect recognition of their rights to privacy, respect, courtesy and dignity. The responsibility of management is to serve the needs of the community, and to provide safe and well-maintained common areas and community services. Mutual respect and concern are the governing principles of managementresident relations.
- In order to provide for responsible relationships between resident and resident, and between resi- dents and management, and to protect the investment of residents and management, reasonable rules and regulations shall be established in writing and be available to all residents. Management pledges to enforce rules and regulations in an equitable and forthright manner.
- Communications are essential to all interpersonal relations and to the successful operation of all businesses. Management pledges to be available to residents, to be receptive to their constructive suggestions and to provide factual information.
- Contentment, security and peace of mind are the desires of residents and the goals of management. To this end, management pledges that residents shall be free of worry of arbitrary or unlawful termination of tenancy. Management further pledges to operate the community in a manner consistent with established business practices and procedures which assure long-term economic stability for residents and investors.

Management recognizes its business responsibilities to the community, state and the Western Manufactured Housing Communities Association, and pledges full support of those laws and activities which encourage the growth of manufactured housing community living and the Association.

The WMA has chapters around the state of California, and holds seminars which are open to WMA members. We also believe WMA suggests how park owners and managers might "run" their respective parks—for instance to optimize such things as cash flow, how to "get out" older mobile homes, etc.

We have learned the following conditions exist in some parks whose owners are members of WMA. These conditions may or may not be a consequence of WMA membership. You be the judge.

1. Clubhouses are often closed—with a sign saying "available." Or they can be used only if reserved two weeks in advance. Their doors are locked and the manager may or may not have an office there. Private parties can exclude park residents.

2. Often times management ignores residents written complaints or residents replies to park notices.

3. Often times management ignores written requests to meet with management.

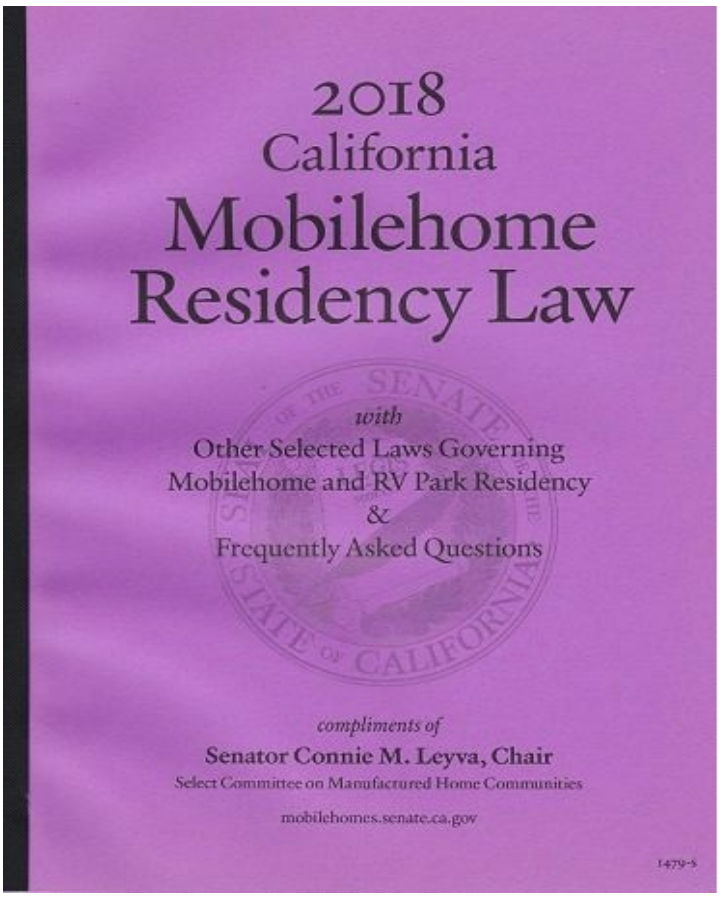
4. Often times management ignores residents complaints about harassment and/or intimidation.

5. Often times Managers do not know the MRL and often misquote it.

6. New rules and regulations are implemented in spite of residents complaints and concerns.

7. Often management interferes with sales of homes. They tell residents incorrectly that their homes must be moved out of the park, or they tell buyers that they must not try to sell a mobilehome they are buying.. Managers telling residents they can't put up a "For Sale by Owner" sign. Managers not approving a prospective tenant although they can reasonably afford the space rent and would reasonably follow park rules. Managers trying to influence sales by telling residents they shouldn't be asking such a (high) price. Managers calling HCD to inspect homes up for sale. Managers saying a resident must use the parks inspector.

8. Parks give long term leases to "get around" rent control. And unfairly target certain (Continued on page 14)




## Mobilehome Residency Law

The Mobilehome Residency Law (often referred to as the MRL) are the California "Laws Governing Mobilehome and RV Park Residency."

Last month we told you that the MRL allows you to get your security deposit back in 30 days upon written request. **798.39**

However, there is no government agency to enforce the MRL. This is why we MUST support each other.

If you don't have an MRL you can purchase one by mail for $6.75 that includes tax and S&H call (916 651-1538).

**OR**

You can attend a SAC conclave and get a **FREE** copy. Every mobilehome owner should have an MRL. These are your RIGHTS.

Did you know that the MRL is part of every rental agreement. Nothing can be put in your rental agreement that contradicts the MRL.

## EXAMPLE OF HOW THE MRL WORKS FOR YOU

The Mobilehome Residency Law (MRL), found in Section 798 et seq. of the Civil Code, establishes the rights and responsibilities of homeowners and park management. The MRL is deemed a part of the terms of any park rental agreement or lease.

**798.19 NO WAIVER OF CHAPTER 2.5 RIGHTS**
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.

## HERE ARE SOME EXAMPLES (There are many more.)

**798.33 PETS**
(a) No lease agreement entered into, modified, or renewed on or after January 1, 2001, shall prohibit a homeowner from keeping at least one pet within the park, subject to reasonable rules and regulations of the park. This section may not be construed to affect any other rights provided by law to a homeowner to keep a pet within the park.

**798.34 GUESTS AND LIVE-IN CARE PROVIDERS**
(b) A homeowner who is living alone in the mobilehome and who wishes to share occupancy of his or her mobilehome with one other person may do so, and a fee shall not be imposed by management for that person.

# Transferring Title of a Mobilehome From a Seller to a Buyer

Many mobilehome owners living in mobilehome parks in California do not have clear title to their homes. It may be a good idea to check on your status if you are not sure. When it comes time to sell your mobilehome or you should give it to an heir, the lack of a clear title will complicate matters.

## How to Check on the Title

It is easy to find out whether you hold clear title to your mobilehome.

If you have a tan-colored 8½ x 11 paper from HCD called the "Certificate of Title" and it is in your name, then you have the title to your home.

If you do not have in your possession the Certificate of Title, then you can call one of the HCD's Registration and Title offices in California to find out your status, whether you have clear title. Be prepared to provide them your name, the location of your mobilehome, and other information. They can look it up in a few minutes on their computers and tell you the status.

## Registered Owner versus Legal Owner

When you check on your status as titleholder, you should be aware that there is a difference between the legal owner and the registered owner. In most cases this will be the same person.

The registered owner and the legal owner may be different for a variety of reasons, but a common one is that one person bought the home for another to live in it. This can occur when say a parent buys a home for a son or daughter, or a son or daughter buys the home for a parent. When the buyer, working with the seller, transferred title to the buyer, the buyer specified the occupant (to be) as the registered owner but themselves as the legal owner. The registered owner then will appear on the HCD paperwork as the owner and will be sent the annual registration notice (or tax notice) and to the park manager will be the owner.

The legal owner, however, owns the asset. The advantage of this arrangement is that the person living in the home is not viewed as one subletting the home, allowing the buyer and the occupant to get around the state laws against subletting a mobilehome (MRL 798.23.5)

To have clear title, you need to be both the registered and the legal owner.

## How To Transfer the Title of a Mobilehome

The following is the typical process for a seller to transfer the title of a mobilehome to the buyer. This assumes the seller has clear title.

o (Need) Title. Fill out the back of this.

The Certificate of Title is tan in color, is an 8½ x 12 sheet of paper, and is from the Department of Housing and Community Development (HCD) of California.

If the title is lost or simply a duplicate title is needed, use Form 480.4 to get a new copy – there will be a fee to get a duplicate.

o (Need) Form 476.6g, the multi-purpose transfer form. This must be filled out. It asks such things as "is the water heater strapped down with earthquake straps?" and "does the smoke detector work?"

o (Need) Form 476.4, declaring the Sales Price. Bring this form but do not fill it out. HCD will fill it out. They put down the lesser of the sale price of the home and the NADA price of the home. The National Automobile Dealers Association Appraisal Guide has prices for mobilehomes (just like the Blue Book for automobiles). For older mobilehomes, the NADA price is usually significantly less than the selling price.

Then one of these two items are needed, either the Registration Card or a Tax Clearance Certificate. To tell which are needed, get the alpha-number off the decal on the outside of the mobilehome.

Does the decal alpha-number starts with the letter 'L'? If YES, then the seller needs to obtain a Tax Clearance Certificate from HCD to transfer title to someone else. It shows that all the taxes have been paid on the home. If the decal alpha-number starts with an 'A', then a the seller must provide a copy of the Registration Card to show that registration has been paid.

o (Conditionally Needed) Registration Card. This is not really a card, it is the 8½ x 11 sheet of paper the mobilehome owner gets from HCD as proof they have paid their registration fees.

o (Conditionally needed) Tax Clearance Certificate. This is only needed for some mobilehomes and manufactured homes. One can tell if it is needed by the decal on the home.

The most efficient way to transfer title, is for the buyer and the seller to get copies of all the appropriate documents, fill them out with pencil answering all questions (on their own, or together) and then take the papers to an HCD office (that handles Registration and Titles). The HCD officials can record the documents and ensure all papers are complete and filled out correctly. Article by Scott Hoaby

# MOISTURE PROBLEMS IN MOBILEHOMES

SIGNS OF MOISTURE PROBLEMS:

- persistent, musty smell
- discoloration on walls and ceilings
- swelling in walls, floors, ceilings
- condensation on window glass
- standing water under the home
- water droplets from ceilings, walls, windows

## TIPS TO MINIMIZE MOISTURE IN YOUR HOME

Everyday activities like cooking, baking, baths and showers, running the dishwater, doing the laundry, wet mopping floors, etc., all add moisture to the air. Ventilate often and whenever possible with fans and open windows.

Furnace and Air Conditioner: bigger is not always better. Always have a professional calculate what size units are best for your home. Units that are too large turn on and off frequently, allowing humidity to build up indoors.

Do not cover floor registers. HUD has found that if warm air cannot enter a space (in a room or closet), the air will get cold enough to “significantly raise the relative humidity in the room, supporting mold growth.”

Filters: pleated filters do a better job than flat filters. Change them out or clean them more frequently.

Poor Site Drainage: eliminate standing water outside with drains, down sloping dirt away from the house, etc.

Crawlspaces: cover the dirt under the home with gravel or polyethylene sheeting so that moisture from the ground doesn’t form condensation on the underside of your home. Make sure the vapor (plastic) barriers which attach to the understructure of your home are intact.

Skirting: there should be 1 vent for every 150 square feet of skirting and vents should be screened. There should also be a vent within 3 feet of each corner to avoid dead air pockets where moisture and mold can easily form.

Dryer vents should be properly vented with a smooth tube to the outside of the crawlspace.

Always vent kerosene and propane heaters.

# GSMOL Regional Manufactured-home Owners Conferences Ontario and San Jose

August 2018

By Michelle Smith, President

I can hardly describe my joy at how wonderful the Ontario and San Jose GSMOL Regional Conferences were. The experience was worth 20+ years of paid membership dues! The legislative advocate, Esperanza Ross, was full of good energy and enthusiastically told the audience in San Jose about efforts to get AB3066 moved through the Senate Judiciary Committee.

If passed, this 5 year pilot program means HCD (Housing and Community Development) would accept complaints from mobilehome owners/residents, then refer the most egregious Mobile Residency Laws (MRL-Civil Codes) violations to non-profit legal firms to pursue on behalf of MHResidents. All park residents will pay $10 a year to support the program. AB3066, Mobilehome Residency Law Protection Act, will end in 2024. I'm sure you'll be hearing more about this over the next couple of months.

The Keynote Speakers in Ontario and San Jose included Senator Connie Leyva, Chair of the Manufactured Housing Committee and Assemblymember Freddie Rodriguez in Ontario. In San Jose, City Councilman Sergio Jimenez spoke. They are all dedicated state and city representatives, eager to support affordable housing and clearly see mobile home living as a critical component of housing.

GSMOL Regional Manager Martha O'Connell

GSMOL VP, Resident Owned Communities, Dave Loop

San Jose City Councilmember Sergio Jimenez

Dave Loop, our Resident Owned Community Vice President, shared valuable information that was well received and sparked lots of good comments and conversations. GSMOL's Corporate Counsel, Bruce Stanton, encouraged audience participation in his presentation on Mobile Residency Law, which really contributed to the participants level of learning about the MRL.

GSMOL Corporate Counsel, Bruce Stanton

GSMOL PAC Committee Chair, Henry Cleveland

GSMOL Treasurer, Shelly Parker

Both conferences had HCD representatives who shared vital information about changes in our homes that require permits. They brought handouts about the Mobilehome Assistance Center, and shared information about the Mobilehome Registration and Titling Fee and Tax Waiver program the State will continue to run through December, 2019. If you need help with MH registration, call HCD NOW!

The last speaker in Ontario was GSMOL member Don Hart. He shared a well-researched and insightful presentation about predatory park owners…the ones we all want to avoid! Most of GSMOL's new Board members attended in Ontario so we had the chance to meet each other in person and put faces to names. We also kicked off our "Pay off the Debt Campaign", after learning from our Treasurer, Shelly Parker, that GSMOL inherited $50K of debt. At a local GSMOL Chapter meeting the night before the Ontario Conference, the President of the San Juan Capistrano GSMOL Chapter did some quick figuring and said, "If each member donated $5, GSMOL can get out of debt!" We brought that sentiment to both Conferences and decided, WE CAN DO THIS.

If you wish to donate toward paying off GSMOL's debt, please make a note on your check:
"Pay off the Debt Campaign"
and mail it to the main office:

**GSMOL**
**14802 Beach Boulevard**
**La Mirada, CA 90638**

Thank you to everyone who contributed to the great success of both conferences. Onward and upward we go. Please join us at our next Regional Conference in San Luis Obispo on Saturday, August 18th.

Watch the website at gsmol.org and email blasts for more information

CA Housing and Community Development, HCD Representative Henry Greene

(Continued from page 8) residents for eviction.

9. Some residents are "enticed" to be pro management by free use of the park gardener or handyman.

10. Often times managers pretend to be pro-resident, while violating residents rights covertly

### How do I tell if I'm living in a WMA Park?

Take a look at the version of the Mobile Home Residency Law that the park makes available in February of each year. The words "Western Manuractured Housing Communities Association" is usually written at the top of the front page just under the words Mobilehome Residency Law. Their version was 18 pages of very small type, which of course is very hard to read, especially for seniors. Senator Leyva's office prints a much more readable version—let us know if you would like a copy.

### About how many park owner's belong to WMA statewide?

Out of about 5,000 parks statewide, approximately one third or 1,700 belong to WMA.

### If I am in a WMA Park, how do they impact me?

Several ways. We have noticed new rules and regulations being presented in several "WMA" parks. We have asked and were told that the rules and regulations were NOT written by management or the park owner, but rather by attorneys (WMA). In fact the rules and regulations are almost word for word from one park to another. We understand WMA has a training program for managers. We also understand that WMA educates managers in the loopholes and potholes of the MRL. And they use parks for their "experiments." If you receive a letter from the owner or manager, chances are that a WMA attorney was involved.

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