

Sacramento Mobilehome Living

SEPTEMBER 2016

VOLUME 1 NUMBER 4

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Do you need help with your prescription drugs, want to reduce energy costs, and have questions about trees on your lot? These and other articles appear in this issue of "Sacramento Mobilehome Living Magazine". We hope you find the information useful and informative, and welcome your suggestions for articles for inclusion in future issues. We are also looking for more advertisers and people to deliver our FREE magazine door-to-door. Our sister publication, "MH Life", is also available for FREE distribution; they can be delivered together. The content of each publication has a different focus.

SACMA (formerly known as SAC) conclave meetings are usually held on the first Friday of the month at 11 AM at Denny's, 122 Sunrise Blvd. in Roseville. This month is an exception due to the extended Labor Day weekend - it will be held on Sept 9. The scheduled speaker is from the excellent non-profit, "Rebuilding Together Sacramento" that was featured in the July issue of the magazine. To register for the September 9th or October 7th meeting, contact Michele Moenning at Gem4us@comcast.net or (916) 749-7494. SACMA's mission is communication and advocacy for mobile-home owners in the Capitol region. For more information, contact SACMA Coordinator, John Bertaut, (916) 500-1485, or email sacareacoaliton@aol.com.

It is the intent of the editors to strive for an objective view in all issues. Opinions and articles are those of the authors, and not necessarily endorsed by the editors. "Sacramento Mobilehome Living" is not responsible for the content of advertisements contained in this magazine.

Tony Danieli and Beverly Purcell, Editors

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Prescription Assistance

As prices continue to rise, low income patients are unable to pay for their health-sustaining (and life-saving) medications. Fortunately, most pharmaceutical companies offer prescription assistance programs, where people can get their medications free or at significantly reduced costs. For eligibility information, contact the manufacturer directly; however, basic criteria for each savings program can be found below. Some of these programs are geared to seniors, most are open to everyone.

AstraZeneca: For more than 30 years, AstraZeneca has offered a prescription assistance program, and in 2008 alone, AstraZeneca helped over 440,000 low-income seniors and patients fill 2.7 million prescriptions, which amounted to a savings of \$600 million (1). To qualify for the AZ and Me Prescription Savings program, individuals must make \$30,000 or less or a family of four must make less than \$60,000. Eligibility requirements also stipulate that applicants must have spent or currently be spending 3% or more of their annual income on prescriptions. AstraZeneca offers its prescription assistance program to people without insurance, people with Medicare Part D, and healthcare facilities.

AstraZeneca medicines include **CRESTOR**, **NEXIUM**, **PRILOSEC**, and **SYMBICORT**, though you can view a full list of medicines here: <http://www.astrazeneca-us.com/our-medicines>. The website also provides a quick questionnaire to help determine eligibility in just a few moments. In addition to AZ and Me, the company also directs low-income seniors and other patients to a number of other helpful prescription assistance and savings programs, including ElderCare, Associations of Clinicians for the Underserved, BenefitsCheckUp, Health Resources and Services Administration, Medicare (and My Medicare Matters), Partnership for Prescription Assistance, RxAssist, RxHope, and Rx Outreach.

Eli Lilly: In 2007, Eli Lilly donated more than \$244 million in pharmaceutical products to patients and agencies in need around the world (2). With seven prescription assistance programs, Eli Lilly is dedicated to helping patients get the prescriptions they desperately need. Two of the discount medication programs, geared towards low-income seniors, are Lilly Cares and the LillyMedicareAnswers program.

Lilly Cares, is a patient assistance program that provides access to Eli Lilly products for legal U.S. residents who are uninsured and whose income is less than 200 percent of the federal poverty level. Eligibility is based on inability to pay for prescriptions as well as a lack of third-party drug payment



and Pharmaceutical Deals

assistance, such as Medicaid or Medicare. To begin receiving prescription assistance benefits, patients must complete an application and have it signed by their doctor. The medication can then be picked up from your doctor's office. Medications covered by Lilly Cares include **CYMBALTA, PROZAC, and ZYPREXA**. Please visit www.lillycares.com for more information or to download an application.

In addition to Lilly Cares, Eli Lilly also offers the LillyMedicareAnswers program, which makes medications more affordable. Eligible program participants should also be enrolled in Medicare. LillyMedicareAnswers covers **FORTEO, ZYPREXA, and HUMATROPE**, and others. Other eligibility requirements include enrollment in Medicare Part D, income criteria satisfaction, low-income subsidy denial, and signed certification that medications paid for by the LillyMedicareAnswers program will not be claimed as out-of-pocket expenses. Medications are shipped to the patient's home. For more information on either Eli Lilly prescription assistance program, please call 1-877-RX-LILLY.

GlaxoSmithKline: Bridges to Access, GlaxoSmithKline's patient assistance program for non-oncology medicines, provides prescription benefits to individuals without any other insurance or third-party payment aid. Bridges to Access allows low-income seniors and patients to enroll over the phone so they can begin receiving benefits the same day. Enrollment is necessary only once per year, though participants must have an 'advocate,' usually a doctor, to be eligible. Medicines from GlaxoSmithKline include **ADVAIR, FLONASE, IMITREX, PAXIL, and ZANTAC**. For a complete list, visit <http://www.bridgestoaccess.com/ProductList>

Low-income seniors and patients eligible for or currently enrolled in the Medicare Part D Plan can also receive benefits, though GlaxoSmithKline offers this prescription assistance program through a separate program called GSK Access. Criteria stipulate that you must have spent at least \$600 on medications through the Part D plan, are a legal U.S. resident, and your total household income is at or below 250% of the federal poverty level (3). Visit www.gsk-access.com to download an application and enroll.

Merck: The Merck Patient Assistance Program was created to make medicines more affordable to everyone, whether they meet insurance criteria or not. To be eligible for the prescription assistance program, low-income seniors and patients must submit proof of financial and/or medical hardship as well as inability to pay for their prescriptions. Applications are completed only once per year, and if accepted, medicine is provided free of charge. Merck requires that applicants are a U.S. resident, have a prescription for a Merck medicine from a licensed U.S. doctor, do not have insurance or third-party coverage options such as Medicaid and Medicare, and annual household income is less than \$43,320 for individuals, less than \$58,280 for couples, or less than \$88,200 for a family of four (4). Medicines covered by Merck include **COSOPT, COZAAR, JANUMET, JANUVIA, SINGULAIR, and TRUSOPT**. For more medications that are covered by this program, please view the full list here: http://www.merck.com/merckhelps/patientassistance/whats_covered.html Or, for questions relating to the Merck Patient Assistance Program, please call 1-800-727-5400.

Pfizer: With seven prescription assistance programs, Pfizer offers low-income seniors and patients of all means the ability to get the medication they need. Four in particular, Connection to Care, FirstRESOURCE, The Pfizer Bridge Program, and Pfizer RSVP Program, all provide medications either free of charge to qualifying patients or at reduced costs through reimbursements and appeals. Eligible medications include **CADUET, CELEBREX, DETROL, LIPITOR, LYRICA, and ZOLOFT**.

Most of Pfizer's prescription assistance programs require that you have no prescription coverage or are eligible for a hardship exception, meet household income criteria, (continued on page 6)

(from page 5)and are a U.S. resident. To learn more about the programs that Pfizer offers, please visit the Pfizer website (<http://www.pfizerhelpfulanswers.com/pages/Find/FindAll.aspx>) to download applications and read pertinent program information.

Wyeth: Through the Wyeth Patient Assistance Program, uninsured and/or low-income seniors and patients are able to receive their prescription medications free. Though the prescription assistance program is not usually extended to patients with Medicare (or Medicare Part D), the company will evaluate situations on a case-by-case basis to determine eligibility. To enroll, low-income seniors and patients should obtain and complete an application and privacy authorization form with help from their doctor or healthcare provider, who should also write a prescription for a one, two, or three-month supply, specifying up to three refills. The privacy authorization form should be given to the doctor, and the application and prescription write-up should be mailed to the address provided on the paperwork. Depending upon the circumstances, the medication will be mailed either to your home or your doctor's office.

For information on the Wyeth Patient Assistance Program, please call 1-800-568-9938 or visit the Wyeth website: http://www.wyeth.com/contact?rid=/wyeth_html/home/shared/footer/Patient/contact_patient_assist.html Eligibility is determined by an individual's inability to pay for the medications, lack of insurance, annual household income is at or less than 200% of the federal poverty level, sufficient evidence of significant financial hardships, and is a resident of the U.S. or Puerto Rico. Medications covered by the prescription assistance program include **EFFEXOR, ENBREL, PREMPRO, NEUMEGA, and RELISTOR.**

Taking Advantage of the Programs: Usually, enrollment in any of these prescription assistance programs can be done quickly, and eligible low-income seniors and/or patients can pick up their prescriptions on a regular basis, either at no cost or at a significantly reduced price. Pharmaceutical companies know that many low-income seniors with tight budgets are unable to afford the high costs of their prescriptions, so taking advantage of these deals is not only economical but recommended to stay in the best of health.

- 1. <http://www.astazeneca-us.com/help-affording-your-medicines/>
- 2. <http://www.lilly.com/responsibility/programs/>
- 3. <http://www.gsk-access.com/>
- 4. <http://www.merck.com/merckhelps/patientassistance/home.html>

No Automatic Distribution of the MRL

When was the last time you received a copy of the current Mobilehome Residency Law (MRL)? Probably not since 2011. On July 15, 2010 Governor Schwarzenegger signed AB2120 into law, releasing parks from their obligation to deliver the MRL by February 1st every year, beginning 2011.

As of 1/1/2011, AB 2120 does require the management of a mobilehome park to either provide a new copy of the MRL to all homeowners when the law changes or notify all homeowners that the law has changed and provide a free copy upon request.

FILLING THE VOID

AB2120 was a loss for all mobilehome owners. This is just one example of a void that is being filled by the Sacramento Mobilehome Living Magazine. We keep you updated on new legislation, as you can read on page VIII.

The loss of automatic distribution of the MRL is just one of the many reasons to support the Sacramento Mobilehome Living Magazine. And don't forget about MH Life Magazine. Read about it on page 10. It is filled with useful information that will help you protect your lifestyle and investment.



MH REAL ESTATE

With Jim Allenbaugh

By Beverly Purcell

Buying and Selling A Mobile Home: The Difference Between Mobile Home Dealers and Real Estate Agents

Mobile Home Dealers

Mobile home dealers mostly sell new manufactured homes for location in a mobile home park or on private property although some dealers also sell previously owned homes. Homes on private property are usually installed on permanent foundations. If the home is placed on a leased lot in a mobile home park, it cannot be put on a permanent foundation and must be placed on the block and pier support system. This is true even if the home is located in a resident owned park. The land or lot purchase is a separate transaction from the purchase of a home from a dealer because dealers are not permitted to sell land. Some counties and cities permit the homes to be set up on a block and pier foundation if it is considered a temporary residence while a primary, permanent home is undergoing construction on the land.

New manufactured homes can only be sold by dealers who are licensed to do so by HCD. This provision exists to protect dealers who might be run out of business by licensed real estate agents. Mobile home dealers are required by law to use the services of an escrow company when selling homes. They generally do not belong to or utilize the MLS (Multiple Listing Service).

Real Estate Agents

Real Estate agents are licensed and overseen by California's Bureau of Real Estate. They can sell land for new and used mobile homes (private lots), but can only sell homes which are already in mobile home parks. In other words, if you want a new mobile home, you must purchase it through a dealer. If you want to buy or sell an existing park based home, you would use the services of a real estate agent. Agents are also required by law to use an escrow company for all transactions.

Almost all real estate agents belong to MLS. This insures that clients' properties (sellers) are exposed to a much wider audience and a larger number of agents who seek property for their clients, the buyers. Almost all agents work cooperatively, but generally, dealers seldom collaborate with anyone outside their own companies. Agents are well versed with the requirements for disclosures, inspections, titles, registration and taxes for mobile homes. Commissions for both agents and dealers are generally the same.



Jury Awards \$58 Million to 10 Households of the Terrace View MHP

SAN DIEGO, July 6, 2016. San Diego Superior Court Case No. 37-2013-00057526

So far, Northern California has not seen a large influx of predatory owners. However, it is inevitable that it will happen. One day, your wonderful family-owned park could be sold. If your park has formed an HOA, you would be informed of a pending sale and you would want to know to whom in advance. If your park is already owned by a predatory group, you have options. Here is one landmark case that happened recently.

A San Diego civil jury awarded 10 households of the Terrace View Mobile Home Park \$58,389,000 in compensatory and punitive damages against the park owners, Tom Tatum & Jeff Kaplan. The case involved charging unreasonable rents, failure to maintain, and other illegal practices causing residents to lose their homes.

At the time of trial, 100 of the 200 spaces at the Terrace View Mobile Home Park were empty or abandoned due to the park owners' practices.

This is the first phase of 49 homes that are part of the lawsuit. The case was tried by James Allen and Jessica Taylor of San Diego based firm Allen, Semelsberger & Kaelin.

The complaint was based upon the provisions of the following:

- The Civil Code (Mobilehome Residency Law)
- Title 25 (Health and Safety)
- The Business and Professional Code

The case was comprised of "Twelve Causes of Action." The Eleventh Cause of Action is significant as it is specific to Elder Financial Abuse. The Plaintiffs in the case (park residents) are all "Senior Citizens", age 65 or older. The following points are excerpts from the legal decision:

119. The Senior Citizen Plaintiffs, as set forth in paragraph 3, are and were 65 years old at the time of the conduct alleged herein.

120. Defendants took, appropriated, obtained and/or retained or assisted in taking, appropriating, obtaining and/or retaining Senior Citizens' mobilehomes by refusing to approve prospective

purchasers of Plaintiffs' mobilehomes, and by raising rents to unreasonably high levels. As a result Senior Citizen Plaintiffs were harmed and have been deprived of their right to sell their homes in the Park and have had to either walk away from their home or to sell them to Defendants for almost nothing.

121. Defendants' actions and/or conduct alleged herein was done for a wrongful use, with intent to defraud and/or by undue influence by preventing Plaintiffs from selling their mobilehomes in place in the Park, or keeping them there at reasonable rent levels.

122. Defendants knew or should have known that their actions and/or conduct were likely to be harmful to Plaintiffs and would prevent Plaintiffs from being able to sell their mobilehomes in place in the Park and would result in Defendants taking the financial investments Plaintiffs have in their mobilehomes in violation of Elder Abuse and Dependent Adult Civil Protection Act. Defendants' actions and/or conduct was a substantial factor in causing Plaintiffs' harm. Plaintiffs seek all damages allowed under the Elder Abuse and Dependent Adult Civil Protection Act and all other remedies otherwise provided by law (including, but not limited to, rescission) to compensate them for the harm proximately caused by Defendants.

123. Defendants were aware of Plaintiffs' right to sell their homes in place and the effect raising rents to unreasonably high levels would have on Plaintiffs' ability to sell their mobilehomes. Defendants deliberately interfered with the sale of Plaintiffs' homes by the actions alleged herein. Defendants subjected them to cruel and unjust hardship in conscious disregard of Plaintiffs' rights. Defendants consciously inflicted economic and personal hardship upon Plaintiffs by interfering with the sale of their mobilehomes which was despicable and Defendants' conduct constitutes oppression, fraud, and/or malice. Defendants' conduct warrants an award of punitive damages.

FROM ALLEN, SEMELSBERGER & KAELEN'S WEBSITE:
A mobile home park resident is dependent on

the park owner to properly maintain the park and respect the residents' rights. When park owners fail in their duties, we represent the residents and enforce their rights.

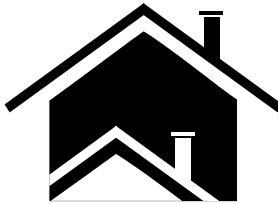
In California, specific laws govern the maintenance and treatment of mobile home parks under the Mobile Home Residency Law. These laws are in place to ensure that mobile home owners or renters are treated fairly. However, simply just knowing your rights isn't always enough. If you believe a park owner has violated your rights in any way, it is crucial that you seek legal counsel right away. Our San Diego mobile home park lawyers represent individuals throughout California and have secured \$300+ million for mobile home resident clients over the years. In fact, our firm has secured numerous successful case results for mobile home clients over the years, including \$111 million for homeowners at the California Hawaiian Mobile Home Park and more than \$2.2 for mobile home owners at Western Skies Mobile Home Park.

Allen, Semelsberger & Kaelin, LLP has become a strong voice for mobile homeowners, particularly those facing "David and Goliath" situations. We are tough negotiators and excellent mobile home lawyers. If you are enduring unfair treatment from your park owner, do not hesitate to reach out to our firm for counsel. We can review your case, present your legal options, and help you move forward with the correct steps. Our San Diego mobile home park attorneys are tough negotiators and know how to take matters all the way to court. You can trust your mobile home case to us today!

For more information about Allen, Semelsberger & Kaelin. Visit their website here: www.asklawgroup.com. Phone Numbers: (888) 998-2031, (619) 552-3598

Article supplied by Frank Wodley, Editor and Publisher of MH Life Magazine. For more information, contact Frank Wodley at fawodley@yahoo.com or call 818-886-6479 for more information or go to www.mobilehomemagazine.org.

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What is Mobilehome Magazine? The answer is simple. Mobilehome Magazine publishes, prints and distributes the Sacramento Mobilehome Living Magazine and Manufactured-Home Life Magazine. It is the reason why you are receiving a free magazine today.

How long has Mobilehome Magazine been operating? This issue begins our 6th year providing useful and important information to the mobile/manufactured home community. Remember 'knowledge is power'. Our goal is to provide you knowledge to help you protect yourself, your lifestyle and your investment.

Over the last five years, we have printed and distributed almost 500,000 magazines - over 99% have been free to the community. No other publication, or organization can make such a claim.

What is MH Life Magazine? MH Life Magazine is very different from Sacramento Mobile Home Living. 100% of content is advocacy - articles written by attorneys, current happenings around the state that effect your lifestyle and investment and other important information. It is a good compliment to the Sacramento Mobilehome Living Magazine.

Where can I see MH Life Magazine? Go to our

website: www.mobilehomemagazine.org and click on Magazines. All 5 years are displayed and can be downloaded.

How can I receive MH Life Magazine? a) You can subscribe using the form below. Just \$15/year. We will mail you the magazine. or b) You can request (call or email Frank Wodley) enough magazines for your park. We will send them to you, FREE.

Considerable cost. Just ask Tony and Beverly, the editors of the Sacramento Mobilehome Living Magazine. They got two bids to print a monthly magazine, 16 pages long. The lowest bid they received was \$2,000! That means each magazine per year costs \$25,000. And that doesn't include the considerable shipping costs.

Your Magazine. We ask for your support.. Our goal is to provide you honest information, without political bias. We welcome content from individual mobile-home owners, from Home Owner Associations, from regional groups and from state-wide groups. We believe in teamwork, i.e. everyone working together. We are mobilehome owners before anything else. Ultimately we all should have the same goal, the protection of the property value and lifestyle of mobilehome owners across California.

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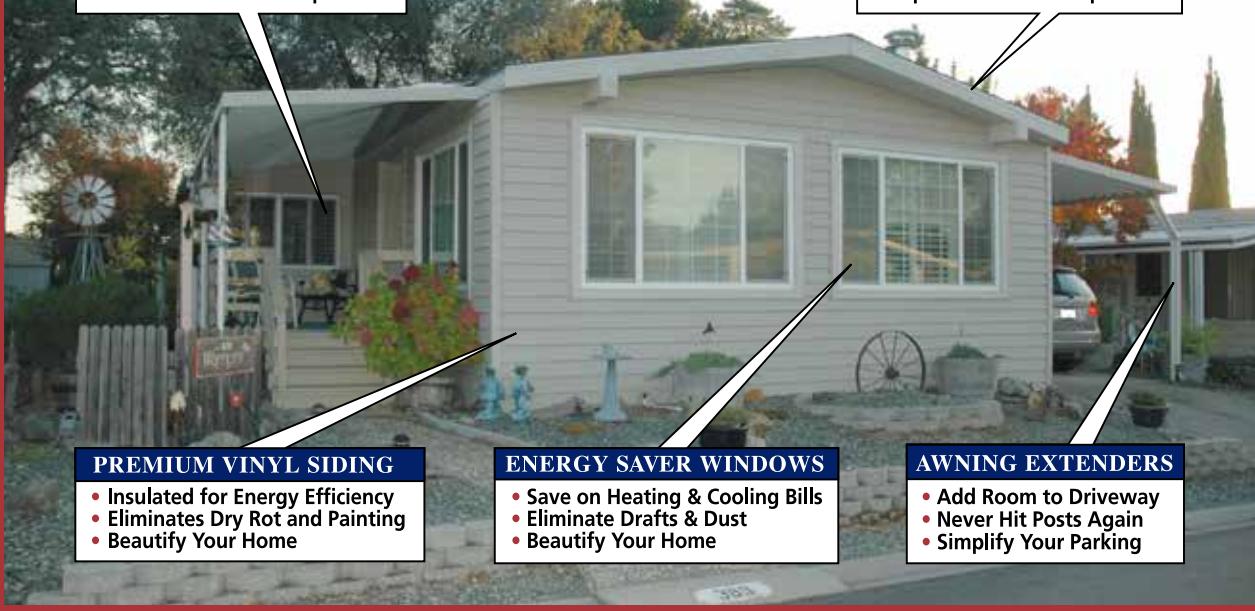
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