



THE VOICE

COALITION OF MOBILEHOME OWNERS

DECEMBER 2007 VOLUME 3 ISSUE 12

ROAD TRIP by Frank Wodley

Over the span of a couple weeks, I've attended several meetings.

On October 26th, Senator Lou Correa held an open hearing in Santa Ana. Primarily a "question and answer" forum, the audience asked questions of a panel consisting of John Tennyson, of the Senate Select Committee, Senator Lou Correa, chairman of the SSC, Maurice Priest, GSMOL, and Mr. Williams, Public Utilities Commission.

Topics included such issues as third party billing, trees and driveways, and various others. Many questions did not have a definitive answer. But it was pointed out that Housing and Community Development can not help with civil matters - residents only recourse is retaining an attorney and going to court.

I came away feeling "the same old approach." Nothing is accomplished, only that Senator Correa has had a hearing and that's that.

The Los Angeles "MHPTF" (Mobile Home Park Task Force) met on October 31st at the Los Angeles Housing Department. Although the "Guide" indicates that this group shall have "full discussion" of all issues in mobilehome parks, nothing could be further from the truth. Agenda items are submitted by task force members; however the housing department makes the final agenda for each meeting. (David Evans, Clint Lau and Bill Schweinfurth of WMA represent park owners). There is some progress to have new buyers coming into parks covered under the Mobilehome Residency Law. Currently this is a loophole.

I also attended a rally/press conference on Tuesday October 30th outside of the Apartment Owners Association conference where they had Jon Coupal speak about their measure that abolishes rent control. We wanted to highlight the rent control provisions of their measure. This all just came together very quickly. About 60 protesters came representing several organizations, including CoMO-CAL, GSMOL, CARA, Neighborhood Friends, and others. Speakers included the ex-Mayor of Santa Monica, the Mayor of Carson, and the presidents of CARA and GSMOL. Unfortunately the rally was only covered by Telemundo T.V. Richard Ramirez of Chatsworth, a resident in Valle Verde Mobile Home Park, was interviewed by the reporter who conceded that she did not understand the issues. In fact most people don't understand the fact that we own our homes yet pay rent for the ground under the home.

On November 13th there was an "emergency" meeting called by Star Management (Mike Cirillo) in the small town of Fillmore. The issue: rent control in El Dorado Mobile Home park. Some residents have organized and called themselves "Seniors For a Better El Dorado." This meeting was an attempt by Star Management to convince residents that rent control would do little to help them and they should not support "the small group of residents." (See article on Page 3)

See "comments" page 7 bottom—strategy of park owners to divide us.

CoMO-CAL This and That

1. A continuing thanks to those of you who have recently joined and those who have renewed. Without you we would not be here.
2. Although there are no articles about “the son of proposition 90” this month, it continues as our primary focus. **It will be on the ballot in June 2008 and we MUST DEFEAT IT.** It affects all mobilehome owners, not just those under rent control. Why? Because areas that have no rent control today can never get it once this initiative passes. Many areas keeps rents in check simply because park owners know residents can play the rent control card at any time.
3. Attorney Assistance. Please contact us by letter or e-mail if you could use a one hour consultation with an attorney. And tell us your issues as succinctly as possible. We would like to run a trial program beginning January 2008. If there is a need, we would like to fill it. Remember, this will cost CoMO-CAL.
4. Informational Material. We continue to send parks informational material - sometimes as much as 10-15 pounds at one time! If you would like to distribute material in your park, just let us know. We have various materials to offer, including THE WHISPER and material explaining what CoMO-CAL is all about.
5. Representatives: We now have a network of good people across the state. We need you to step up and volunteer to be our representative in your area. Our goal is to unite mobilehome owners. We can't do it without your help. We will support your efforts any way we can. Please give us a call.
6. We would like to begin monthly meetings again in the San Fernando Valley. Let us know if you are interested in attending. There are many issues to know about, and of course you probably have many questions.
7. Check your mailing label for your renewal date. Send your renewal early to save us the time and expense of mailing a notice.
8. What do you need from us? Let us know any suggestions, comments, criticisms, etc. This is your coalition. We listen to you.

Tell your neighbors about CoMO-CAL

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CoMO-CAL, Inc. is a non-profit organization committed to protecting the rights of mobilehome owners in the state of California.

All persons living in a mobilehome are eligible for membership on an equal basis, except management, owners and employees of owners.

THE VOICE is published monthly by the Coalition of Mobilehome Owners—California for the use of its members. THE VOICE welcomes articles of interest to mobilehome owners.

Panel to seek solution to mobile home rent conflict

By [Sam Richard](#) Tuesday, November 6, 2007

Efforts to resolve conflicts between Fillmore mobile home park residents who want a rent control ordinance and a management company that doesn't are expected to begin today.

A two-member city committee plans to meet with the president of Santa Ana-based Star Management to discuss rent issues at El Dorado Estates, a 302-unit mobile home park at 250 E. Telegraph Road.

Many residents have expressed frustration at recent City Council meetings about rent increases they say are causing them financial hardship.

Several asked the council to consider adopting an ordinance that would regulate rent increases. The approximately 425 residents at the park are seniors, many on fixed incomes.

Solution sought

The committee will aim to bring ordinance supporters and opponents together to reach a solution, and it's possible that an ordinance might not be considered if negotiations are successful, city officials said.

"If we can help mediate this thing to the point that both sides compromise and are satisfied with an eventful outcome," then that would be good, said Mayor Steve Conaway, who is on the committee with Councilwoman Patti Walker. "Compromise is not a bad word."

Committee members will wait to see who can speak for residents before a meeting is set, Conaway said. Star Management "is going into this process with an open mind, and we will see what kind of situation gets presented," said President Mike Cirillo.

David Reeves, a member of Seniors for a Better El Dorado who hopes to represent residents, said several key points need to be addressed to reach a compromise. Reeves said residents want rent increases limited to new mobile home buyers. They also want a committee set up with homeowners, management and a neutral party to try to settle future problems.

Some can't afford rent

Some residents are selling their homes because they can't afford to live at the park, Reeves said. "There are people here who can't afford to eat. They can't afford to buy their own medication because the rents are so high, and the utilities have gone up so much."

Several residents have said their rents have increased annually by 4.5 percent for the past several years. Monthly rents range from about \$400 to \$670, residents have said.

In a letter sent to residents in October, Cirillo wrote that it is not El Dorado's intention to have residents move and that the park has a voluntary rent subsidy program.

In opposing a rent control ordinance, Cirillo said only a few El Dorado residents would be subjected to it. The California Mobilehome Residency Law lists several requirements for a mobile home to be exempt from rent control, including having a lease longer than 12 months.

The city committee will update the council on the negotiations Dec. 17.

Comments:

Posted by **steveburatti** on November 6, 2007 at 6:13 a.m.: Any time Mr. Cirillo is involved they are MOT going into any discussion with an "open mind". They have an objective and will stop at nothing to get it. In Oxnard, Cirillo and company did everything possible to go around, under, or bulldoze through the rent control ordinance in effect and I see no reason he/they will not do the same in Fillmore. BEWARE!!

Posted by **mike** on November 6, 2007 at 5:06 p.m. Mr. Buratti: We are property rights advocates. We believe that rent control is confiscatory and without controls on the sales prices of mobilehomes, inherently unfair. In the immediate case, there are only 4 households that would be affected by any ordinance that the City may adopt, as the remainder of the spaces are exempt from rent control by virtue of the long term leases that are in place .
Mike Cirillo .

Mobile-home residents may lose equity ...(City of Encinitas)

<http://www.nctimes.com/articles/2007/09/27/opinion/commentary/>

By: CHRIS CARBONEL - Commentary:

Like most people who own their homes, the residents of mobile-home parks in California have the majority of their life savings in their home equity. The city of Encinitas' Planning Commission approved on Sept. 20 an out-of-state park owner represented by the Loftin Firm to make unilateral condominium conversions at The Sands mobile-home park. The conversion will hand the park owner the residents' equity in their homes. Some residents purchased their homes with their life savings, some with their retirement savings, and those who have loans on their homes may need to walk away or file bankruptcy.

The condominium conversion prevents the residents from selling their homes without first adding on what the park owner wants for the 825-square-foot average lots. Unlike a typical homeowner, the mobile-home owner is at the mercy of the park owner when it comes to pricing his home. The park owner may now price a converted lot for an amount that could take all of the resident's equity.

The park owner's actions have caused more than 20 percent of the residents to put their homes up for sale. However, once disclosed to potential new buyers that when the park is finally converted to condominiums, they will be at the mercy of the park owner when it comes to pricing their homes, buyers take a pass.

Despite the Legislature's intent to create laws that protect residents' investments and avoid economic displacement, attorneys for the park owner and attorneys hired by the city convinced the Planning Commission to allow the condominium conversion. Economic displacement is currently happening, and their actions are financially devastating to mobile-home park residents. The

Planning Commission's decisions will be appealed to the City Council.

The Sands Residents Association Inc. is asking for an outcry on their behalf and the behalf of all mobile-home residents. Please send the Encinitas City Council letters or e-mails requesting they deny the Planning Commission's approval of the unilateral condominium conversion of the Sands Mobile Home Park.

Send your letters to City of Encinitas, 505 S. Vulcan Ave., Encinitas, CA 92024. Send e-mails to Mayor James Bond, jbond@...; Deputy Mayor Jerome Stocks, jstocks@...; council members Teresa Barth, tbarth@...; Maggie Houlihan, mhoulihan@...; and Dan Dalager, ddalager@...; and Planning Commission, dprentic@...

-- Chris Carbonel is vice president of The Sands Resident Association Inc.

Comments On This Story

No Outcry wrote on Sep 27, 2007 7:14 AM:

" Sorry, but I can't agree here. The residents of this mobile home park own the home, not the land. The land is owned by the property owner. The mobile home owners knew this when they purchased their home and agreed to rent the land from the property owner. If this decision turns out to be a bad one financially for the mobile home owner, then they can move their home somewhere else, complete with its 'equity'. The equity in the land belongs to the property owner, not the mobile home owner. "

Nope wrote on Sep 27, 2007 7:17 AM:

" For too long, mobile home owners have tied the hand of the property owners. Mobile home owners have obtained legislative protection for their unwise investments through rent control, stifling the

property owners ability to make the best use of his land for the best profit. Now that the landowners have figured out how to make a profit from their property, without interference from the mobile homeowner, the mobile homeowners are crying foul. The issue here is who owns the land? The property owner, not the mobile homeowner. Its about time the property owner can realize a profit from his investment. "

Gil wrote on Sep 27, 2007 10:19 AM:

" This article says the unlike the "typical homeowner". Well, I am a typical homeowner and do not understand this logic. I own my home and my land as is typical. But the value (equity) of my ownership is in the land, not the house. My home is insured for less than one-quarter of the value of my home/land. The equity IS in the land, not the aging home. I cannot believe that the same would not hold true for an aging mobilehome. And so the land owner should realize the equity he has earned from his purchase. What is not fair about this? "

Darrell wrote on Sep 27, 2007 10:42 AM:

" To bad, to sad, that's life, can't blame the owners for wanting to make a profit on their investments. "

No outcry here, either wrote on Sep 27, 2007 5:04 PM:

" I side with the park owner on this one. "

Kamran wrote on Sep 27, 2007 8:58 PM:

" Sorry, I disagree. You think a 100 year old shack sitting on the beach has built in "equity"? It's the land that has the value not the 1,000 sq. ft. shack. Yet another example of wanting something for nothing. The poor landowner is the one taking the risk when purchasing the land. I am guessing the HOA had a choice of where to buy when they bought these mobile homes. You all chose to live close to the beach even though you could have bought a house with the land probably for the same price some where further away. Yet another example of not taking responsibilities for your de-

cisions and crying foul when things don't turn out your way. Lets get the public to help and write letters. "

Linda wrote on Sep 27, 2007 10:52 PM:

" I don't think your arrogant commenters would be so opinionated if they were in our position. We bought, thank god very cheaply. We don't have that much to loose. But so many do have a lot to loose. The land owner's knew what they were getting into also. They could have bought land with homes on them and sold them high. If you own the land with 150 spaces on them at \$700.00 ea. per month how much is that? When you do no improvements that's a good investment wouldn't you think. "

Leuc wrote on Sep 28, 2007 7:58 AM:

" FYI-There is no rent control issue here. Beware of misinformation on the NCT comments section.- "

Grant wrote on Sep 28, 2007 8:25 AM:

" I have driven by this property and most of the homes are old trailers that have long outgrown their useful life. The land owner has a right to re-develop the property to its highest and best use.- "

Confused wrote on Sep 28, 2007 10:01 AM:

" Help me understand this... The residents pay a monthly rental for the lot on which they park their home. If they move, they take their home away (or sell it) and someone else rents the space. Why is there any discussion of equity? If I rent an apartment and fill it with my furniture, I don't get any equity from the landlord when I move - even if I sell my furniture to the next resident. If the residents want equity from their investment, don't they need to buy something that appreciates (such as the land), rather than depreciates (such as the mobile home)? Also, I'm curious, how would the new mortgage payment for the lot compare to the monthly rental they're paying today? And what about the tax benefits? Isn't this the difference between a condo and an apartment? "

WHY by Robert Hites

It is fairly obvious to all of us that have walked through the mobile home parks of California that there is definitely a need for people to stand up and be accountable. Years ago when I was in the military the old saying was 'YOUR'S WAS NOT TO ASK WHY – YOUR WAS TO DO OR DIE'. Well that concept has now changed and the military has gone from brawn to brain and that approach has given a new meaning to do or die. There are states within the United States that have state mottos like LIVE FREE OR DIE. We all are entitled to live free and that is what we, as a human being and a citizen of this country, MUST DO. We MUST UNITE; we MUST FIGHT FOR OUR RIGHTS. We HAVE NO RIGHTS, unless YOU FIGHT FOR YOUR RIGHTS.

Therefore, YOU MUST ASK **WHY?????** When you are told or asked to do something within your park and it appears to be some what strange and not in a common form of common sense, ASK WHY. The reply or answer, because I SAY SO, is not an answer. IT IS AN EXCUSE... Managers are people to, human beings and for the most part their authority has gone to their heads and they have lost the common sense and compassion that it takes to deal with the residents. Is their request in compliance with some sort of HEALTH CODE, is their request in compliance with a SAFETY CODE is their request in WRITTEN AND ESTABLISHED POLICY that ALL RESIDENTS are in compliance and understanding with. Is this some sort of rule that was started to satisfy the manager's ego? You will hear words like 'WELL THE OWNER SAID, and the owner hasn't been on property in weeks, or months. You know that the request or in MOST CASES A DEMAND is not something that a reasonable person would request or pursue. Come on people, we are not STUPID, WE ARE NOT SHEEP, take a stand and stand up. I am sure you will get into some sort of confrontation with these managers as they are the bullying type and want to express their form of ignorance with harsh words and threats of eviction and some tirade of not following their rules. In the first place it is not their

rules, it is the rules of the mobile home park that should be in written form at all times and not just merely added to a growing list of someone's inability to manage. Most of your managers have NEVER TAKEN a management course or courses, most of them have less than a high school education and most live in a drunken stupor and use language that is far worse than what you would have used to express yourself. SO, you must ask WHY, SHOW ME THE RULE, POLICY AND OR PROCEDURE and it better be in some civil code, health and safety code, penal code, vehicle code and not just someone notion of how the world should be according to THEM, If you allow this sort of activity in your park, that is their home as well as yours. Just because it is private property does not mean that YOU as a resident upon that property have no say so in how you will be treated, spoken to. It is better to be pro-active than reactive. SO LET'S START ASKING WHY AND LET'S START TODAY. Laws. Rules, procedures are great, but the law, rules and procedures apply to each and every person n and not just a chosen few because of their race, personal appearance, and language in-ability. First and foremost we are human being and shall be treated with PROFESSIONALISM, RESPECT AND DIGNITY.

I ASK THAT YOU STAND TALL, BE A GOOD CITIZEN AND ASK QUESTIONS AND THAT QUESTION IS - **WHY???????????????**

IF YOU WANT OR REQUEST SOMETHING FROM ME PLEASE PUT THE REQUEST IN WRITING AND GIVE ME VERSE AND SCRIPTURE, WHAT GOOD BOOK DID THE MANAGER GET HIS OR HER REQUEST AND WHAT IS THE LEGAL INTERRUPTION OF THAT RULE, PROCEDURE, OR LAW. Just because they carry the title of MANAGER does not make them right. THEY MAKE MISTAKES AND THOSE MISTAKES CAN COST SOME OWNER HIS OR HER PROFITS. IF the manager wants to be a MANAGER, make them MANAGE. There is more to being a manager than just saying I AM THE MANAGER, PROVE IT. MANAGE THIS QUESTION - **WHY???????????????**

Listen Up! By Robert Hites, V.P of CoMO-CAL

That's right this is the old Sarge getting ready to inform you and what you need to know. First, this column is designed to inform and to let you know that help is available and there are people in various advocate groups that literally spend their own monies and their own time to provide assistance to perfect strangers and not want more than the feeling of helping those that have become unable to help themselves or do not know where to turn for assistance. Well we are here, it is a matter of you getting involved and not just complaining but taking a stand for your rights as a home owner. You simply cannot sit back and allow someone to run you out of your own home with threats and intimidation. Most of us came from an era that fought in several wars, World War II, Korean War, Vietnam and Gulf War and our current engagement. We built this country with hard work

and sound ethics. Therefore, get involved with your park. Organize your residents, take a stand. You need help, structure, information, guidance, counseling or someone to stand with you in front of managers, park owners, or court proceedings give us a call. The only request that we ask is that you become a member of our team. It takes more than one person to fight back against greed and inhumanities to those that are elderly, disabled on limited incomes. So, contact us. Call us at 1-800-929-6061 or if you have internet service you can e-mail me at an-vil95993@yahoo.com or my home telephone is 530-743-2965. I am a mobile home owner just like you and I will fight before and after God gets the news. So, the ball is in your court. I am willing the question if are you able???

Comments on Nov. 13th Meeting in El Dorado by Frank Wodley

This meeting is a perfect example of management's strategy. It can be found in many parks across California. Some park residents are wooed by management to the point they blindly follow management. Clay Harrison calls them 'toadies.'

Star Management called the November 13th meeting, not only to give their side of the rent control story, but to directly interfere in the election of a small "committee" that would represent residents with the city. The group "seniors for a better El Dorado" already had a committee of two residents (both are in favor of rent control). So now, Star Management wants to stack the committee with those "toadies" who are opposed to rent control.

I attended and spoke briefly. I suggested that without rent control in Los Angeles, I could lose my home at time of sale if there were no cap on

rent the buyer would pay. This is a fact. This is reality. However the pro management residents would not listen. One "toadie" stood up and said management should take names of residents that wanted to sit on the committee! This is America, yet in this park management (with the President of Star Management looking on) proceeded to gather names of toadies to be submitted to the city! This is like Republicans choosing who will run for office on the Democratic ticket!

Mike Cirillo stated he just wanted to share his side of the rent control issue. But the bottom line - he interfered in what should have been an election of a committee by the park residents only, without management present. Park owners and their representatives will go to any length to block rent control. And remember, AB1309, Prop 90, and the son of Prop 90!

PARK MANAGEMENT PROBLEMS

We have not discussed the subject termed “park management problems” by the Senate Select Committee on Mobile and Manufactured Homes (Senator Joseph Dunn, Chairman) in quite some-time. It continues to be a serious problem in many parks. In 1982, and again in 2004, the Senate Select Committee held hearings on “management problems.” The bottom line: nothing concrete has been done. Remember last year there was legislation introduced to train managers. It failed.

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

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

A small portion of the public hearing of December 19, 2004 before Senator Dunn is published here. This testimony should only strengthen our feeling that these types of problems occur across the state, they are not isolated incidents as the park owners would have us believe, and they have occurred, without any real action, for over 25 years. Shouldn't we **TAKE A STAND NOW?** Or are we willing to endure another 25 years under the oppression of those managers who feel they are above the law and park owners who are motivated to break the law for financial gain and greed. You and I, our friends and neighbors living in mobilehome parks need to **UNITE TOGETHER!**

On December 19, 2004 Senator Dunn heard testimony from about 22 witnesses, most of whom are mobilehome owners. CoMO-CAL feels this subject is very important to our members and provides excerpts from the hearing below. Copies of the full transcript of the hearing (Senate Publication #1306-S) may be purchased from Senate Publications, 1020 N Street, Room B-53, Sacramento, Ca. 95814 for \$7.75 plus current California sales tax. Make checks payable to Senate Rules Committee.

SENATOR DUNN HEARING—DECEMBER 19, 2004

MOBILEHOME PARK MANAGEMENT PROBLEMS

Background (by Senator Dunn's Staff)

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

Mobilehome park owners hire managers to perform various functions in the operation of the park, such as collecting the rent, reading utility meters, providing security in the park, arranging for the use of the clubhouse or recreational facilities, if any, enforcing the park rules, providing various notices required by law to the residents, maintaining or overseeing the maintenance of the park, managing the office and books, and dealing with homeowner/resident complaints, among other duties.

Some parks are operated by professional property management companies that select and train site managers. The Western Manufactured Housing

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

Manager Problems (by Sen. Dunn's Staff)

The number of complaints to the Committee about manager problems has increased in the last few years. Testimony that the Committee will hear will illustrate the management problems, which some residents contend necessitate reform. In summary, these often involve disputes between the manager and a resident or residents regarding enforcement of the park rules, unwillingness of the management to approve the resale of a mobilehome in the park, utility billing and meter reading or a number of other issues. Sometimes this tension between the residents and the site manager is the result of a lack of communication on both sides or it may involve the attitude of the resident or the manager. Not infrequently residents perceive that the manager is harassing or otherwise mistreating them, particularly if the manager threatens them. In other cases it is simply a matter of alleged neglect or incompetence on the part of the manager. Residents contend that the lack of

information or knowledge on the part of managers, particularly of the Mobilehome Residency Law, leads to the management's refusal to recognize certain resident rights. This in turn leads to confrontation and bitterness between the park resident(s) and the manager. A common complaint to the Select Committee is that some parks deal with residents in a heavy-handed fashion, intimidating them through threats of reprisal or eviction if they complain about park health and safety violations or the enforcement or lack of enforcement of park rules. On the other hand, the park industry argues that in many cases a dispute is just as much the fault of the homeowner as the manager. Moreover, they point out that the major state park association already has a training program and that the costs of administering and enforcing legislatively mandated manager licensing and training program will drive up the cost of housing in mobilehome parks without guaranteeing that manager-homeowner disputes will or can be resolved, notwithstanding such licensing.

Editors' Comments: This is one of the most widespread, serious issues in mobilehome parks and there is no relief in sight. **I believe that until there are serious sanctions against managers and owners, it will continue.** Let's face it, the motivation of most park owners is their bottom line. If they can pressure a resident to walk away from his/her mobilehome or convince them they must remove it from the park (both tactics are illegal), the park owner wins (profits by placing a new home on the site, can charge market rent for the space, and increases his bottom line which translates into a higher value for his park). The park owner has NO downside - if he is sued for a violation of the MRL, there is only a \$2,000.00 penalty. His upside is hundreds of thousands of dollars in additional profit - a no-brainer!

Condo Conversions - Personal Comments by Margo Iverson - Palm Desert

I'm a resident of a mobile home community under siege. I live in Indian Springs Mobile Home Park (ISMHP) Palm Desert, which is in the process of a condo-conversion by James Goldstein.

I just read the letter by Mr. Close and Ms. Forbath. in my current "The Voice". I was shocked at the statements that were made by Mr. Close. In paragraph three he refers too the "Doug's" situation. I really hope "Doug" paid cash for his lot. Because most of us are not that financially able too.

In Paragraph seven it is stated we would benefit with an interest write off on our taxes. To get that write off, you must have a loan (mortgage) on your property. You must take out a mortgage to purchase your lot and have enough income to **file taxes**. This **only** benefits the high middle income and above, not the rest of us. That was not mentioned.

With a simple calculator you take "Doug's" scenario If he had to take a mortgage out, for lets say \$100,000 for 30 years at 6.25% the monthly mortgage is \$616.00. Plus the \$190.00 HOA & taxes of \$100.00 The real monthly total is \$906.00, compared to his \$500.00 he use too pay before he bought. In my simple math that is \$406.00 **MORE** a month. Not to mention the 15 to 20% down payment, closing cost and so on. Building equity is a myth at our age. People forget that the real profit is taken when you sell and subtract your finance charges, from your profit, such as the interest you pay when you have no income to deducted it from.

Mr. Close and Ms. Forbath are not dealing with reality. I will give you my scenario. My income is around \$1400.00 a month, I owe around \$8,000 on my home. I maybe eligible for the MHROP loan. But the lots have been place (speculatively) on the upside of \$139,000.00. each. We don't have an offer on the table for lots. The lots could (speculatively) go for over \$200,000., who knows. He can charge anything he wants.

I do not have money for a down payment. Even with the 3% loan you still need a down payment to qualify, (that loan is not 100% of the asking price). With a mortgage of 139,000. plus \$8,000 loan = \$147,000. At 3% the mortgage payment is \$620.00 a month, plus \$190.00 HOA and \$140.00 in taxes. Those payments would total \$950.00. Again that doesn't include all the incidentals that go along with closing a loan/mortgage. Wow, \$481.00 more then I pay now. **That's quite a deal for us people on fixed income**. Tell me how owning will benefit me? Tell me Mr. Close who is going to qualify me for a mortgage? How do I live on the rest of my **fixed** income? Please do not go into renting, that just took a dive with the Governor's signature.

This park ISMHP is under a major change ordered by Riverside County, about two years now. The owner must put in an updated sewer system, which is going to be **a major disruption of our lives**. We **are seniors up too 98 years old**. We can not sell our homes, no one wants too buy when ever street and home is going to be dug up in the construction of a new sewer. We have been told by the owners representatives that the construction will take two years. Try and get out from under this mess by selling your home now. It is impossible to sell!

We are the ones that should be paid by the owner **James Goldstein** for the **abuse** we are subject too. We are going through this construction because of Goldstein's neglect and side steeping the law since 1987. According to court documents **he knew or should have known that the septic system was failing**. He did nothing about it. Instead he and his representatives sidestepped the law, by doing minor repairs **without** seeking a **permit** from the City of Palm Desert and/or State HCD. That way no one knew the condition of the septic system. None of this was disclosed to myself or any other persons who purchased their homes in ISMHP. Isn't an honest "discloser" of the parks "problems" prescribed by law? Aren't "disclosures" mandatory? Talk about breaking the law. Mr. Close has the

nerve to tell us how simple everything is going to be, how great this is going to be for us, have Mr. Close live here for the next two years.

Mr. Close represents the owner Mr. Goldstein. Does that make him and all the other representatives of the owner culpable? Riverside county record show that if some of the mortgages at El Dorado default, Cal-Vets would own the majority of El Dorado Mobile Home Park. Just a thought. The large majority of loans at El Dorado are Cal-Vet.

One other thing too think about when in the forced condo-conversion:

I went to my city and asked what am I going to do if I can't come up with a mortgage for my box of air or the rent increase that would go along with the condo-conversion **sooner or later**.

I was told I could apply for low income housing. That is a **“catch 22”**. I am not eligible for low income. If I sell my mobile home (if I could sell) I am not eligible either, because there is a **chance** I may sell my home for over the limits of the low income guidelines. That would mean, I would have to spend down the money I receive for my home too be eligible for low income housing programs. Where do I go in the mean time? Does anyone else see the problem? I was **not** told this by the owner, (James Goldstein) his management and/or his team of attorneys. It is/was painted as a rosy picture, all low income people are automatically eligible for any low income program out there. **That is not true.**

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The California Alliance for Retired Americans (CARA)

CoMo-CAL becomes the newest affiliated organization to join CARA. The California Alliance for Retired Americans (CARA) is California's strongest, grassroots senior advocacy organization that unites retired workers and community groups to win social and economic justice, full civil rights, and a better, more secure future for ourselves, our families, and future generations. Founded in 2003, CARA has built a statewide network of more than 150 organizations, representing nearly 800,000 older adults.

Through its state-wide network of organizations, CARA educates and informs its membership, the public, and elected officials about issues that affect the well being of seniors, and mobilizes its members to take actions on these issues. CARA is a charitable organization under section 501(c)(4) of the IRS code. Its sister organization, the CARA Education Fund, has been developed as the training and education arm of CARA and is a 501(c)(3). CoMO-CAL Vice President Bob Hites has recently graduated from the CARA Leadership Training Academy held in Auburn. Similar leadership retreats are held throughout the year in Northern, Southern and Central California.

What makes CARA effective in its grassroots activism is its unique and effective ability to mobilize members locally, in their districts, as well as at the state level. CARA has an active legislative committee that meets monthly and identifies bills and issues that the organization should support or oppose, as well as sponsors legislation of its own. CARA played a leadership role in the passage of the mobile homeowners protection bill SB 1542, which was unfortunately vetoed by the governor.

The legislative Committee coordinates their work with its local groups – the CARA Action Teams (CATs), which bring together CARA affiliates and activists in their local communities to educate and engage them in CARA's issues. CARA has also established a Captain program, recruiting liaisons between the State Assembly and Senate Districts. This extensive network of activists is informed by CARA's monthly email and fax Alerts, its quarterly newsletter mailed to thousands of members, and through the website, which posts CARA's legislative tracking report, fact sheets, issue briefs, action alerts and more.

. (www.californiaalliance.org).

PRIORITIES FOR 2008

At its 4th annual state-wide convention, held October 21-22 in San Diego, the delegates voted on CARA issue priorities for 2008, in the following order of priority:

- Support efforts to win universal, single payer health care at state and national level.
- Preserve and Strengthen Social Security.
- Protect pensions and retirement benefits (both state-wide and nationally).
- Work to end the war in Iraq and bring the troops home.
- Continue efforts to win real prescription drug benefits and regulate the pharmaceutical industry (at state and national levels – OURx Bill of Rights).
- Reconsider and Rescind the Medicare Part D prescription drug benefit and expand and strengthen the Medicare program.
- Expand protections for renters and manufactured homeowners in California.

- Advocate for funding for affordable housing construction and preservation.
- Work to improve discharge policies at hospitals/nursing homes to help insure safer transitions home.
- Continue efforts to protect homeowners living in Homeowner Associations.

By becoming an affiliated organization, all members of CoMO-CAL become members of CARA, and its national organization, the Alliance for Retired Americans, which sends out its Friday Alert every week to inform members of issues of national importance. To receive CARA and ARA alerts and/or the newsletter, CoMO-CAL members must register interest by mailing their name, address, phone/fax and email address to: CARA Membership, 600 Grand Ave., Suite 410, Oakland

CA 94610, and indicate that they are members of CoMO-CAL, and therefore do not have to pay a membership fee. (All other interested parties can join for just \$10 per year.) To do this by email, they should write to: ksmith@californiaalliance.org.

If any CoMO-CAL member wishes to participate locally in a CARA Action Team, they should contact CARA's regional organizers: Northern California: Jodi Reid (jreid@californiaalliance.org) or write to her at the Oakland address. CARA Office Phone: (510) 663-4086

Southern Californians contact Sandy Goldfarb (sgoldfarb@californiaalliance.org) or write to her at CARA, 2020 W. Chapman Ave, Orange, CA 92868. (714) 244-7776

City Will Help Mobile Home Park Renters—Modesto

By JOHN BRANCH

Facing an audience of mobile home park residents hit by heavy rent increases, Riverbank City Council members promised Monday night they will do whatever they can to help in what has become a fight against Equity LifeStyles (ELS), which owns some 350 mobile home parks across the country including Quail Meadows in Riverbank.

Following Modesto's lead, Riverbank will prepare a rent stabilization ordinance and memorandum of understanding between park owners and space renters. At the same time the city will provide a subsidy for low-income renters from the Riverbank Redevelopment Agency's 20 percent set-aside for affordable housing

For the long term, city officials will look into purchasing its own land for mobile home parks and selling lots to qualified buyers. They also repeated an offer to help renters refinance their mortgages with low cost or zero cost loans.

Despite the threat of a lawsuit against the city, Mayor Chris Crifasi said he felt it was the duty of local government and all residents to protect its low income and elderly citizens against corporate greed.

"What ELS is doing is horrible and predatory," said Crifasi. "It's a monopoly. It's the responsibility of local government to step in and curtail this. It's capitalism gone crazy."

"It's totally immoral. We have to do something," added councilmember Sandra Benitez, backed by all the council members.

The rights of mobile home park owners are being trampled - Capitola

October 7, 2007 <http://www.santacruzsentinel.com/archive/2007/October/07/edit/stories/06edit.htm>

I am responding to an article written by Mr. Constantine and Mr. Hancock titled "Will Constantine and Terry Hancock: Conversion to condos hurts mobile home park residents" It is important that park residents and the community as a whole hear all sides of the issue. Unfortunately, that is not happening.

My family owns the Surf and Sand Mobile Home Park in Capitola overlooking the Monterey Bay. My grandparents and father built the park and have operated it since the day it opened about 50 years ago.

The current space rents at Surf and Sand average about \$290 a month. That is less than \$10 a day for space rent in some of the most beautiful [and valuable] coastal locations in America. You can't park a car for \$10 a day, yet that is what we get for space rent. From that rent, we have to maintain the infrastructure and pay common are utilities. In effect, my family has been forced to subsidize space rents that are a fraction of reasonable rent levels to residents who do not need it. In fact, there are many park residents whose annual income is almost certainly equal to and higher than the annual net income for the entire park. These facts don't seem to make their way into the editorial of Mr. Constantine or Mr. Hancock, or the public comments of City Council members either, for that matter.

Mr. Constantine and Mr. Hancock state if we wanted to sell, we could simply negotiate a "fair price" and sell to the tenants, that our goal through subdivision is to eliminate rent control and coerce homeowners into paying double what their lot is worth. What they are not telling you is that their view of a "fair price" is a price that is based on these ridiculously low rents.

We had a unit recently sell for \$480,000 in our park. Mr. Constantine and Mr. Hancock would have you believe this is true "equity" of the selling tenant and that through subdivision they would lose this equity. In fact, the mobile home is a 1958 Flamingo model home. The home is approximately 700 square feet

and would have very little value outside of our park. The half million dollars received by a tenant is not "equity" They are selling the right to live at a beautiful, coastal location. They are selling the underlying value of the land, owned by my family.

What is the market value of the lot when the 50-year-old single-wide unit sells for \$480,000? I will leave that up to Mr. Constantine and Mr. Hancock to answer. We have another unit in the park being offered at \$695,000. Is it logical to think that this is the tenant's "equity" and that they stand to lose that through the subdivision process? I don't think so. The equity the city and the attorneys continue to talk about is nothing more than equity created by the city's ordinances to confiscate the property from land owners.

The city "urgency ordinance" governing subdivisions, just adopted, was a transparent effort to facilitate and protect the confiscation of the underlying value of the property that belongs to my family. The city's treatment of Turner Lane Mobile Home Park demonstrates the city's goals. Turner Lane was recently purchased by the tenants for a below-market price. The city's regulatory scheme has made it practically impossible for park owners to realize anything close to the true value of their property. The owner of Turner Lane [like several before him] decided to sell and reinvest his time into something else. The city had a hand in financing a portion of the purchase of Turner Lane. They, in essence, facilitated this taking of property from the park owner. Ironically enough, the tenants have now applied for and are in the process of a subdivision of the property. I believe the tenants paid approximately \$68,000 per space on the purchase. After subdivision, these tenants stand to gain tremendous amounts of money on the resale of these lots.

Turner Lane went through the subdivision process without the need of an "urgency ordinance" which created an onerous administrative process under the guise of requiring full disclosure of the relevant facts and costs associated with owning and operating a mobile-home park as a common-interest development. Were the tenants of Turner Lane less deserving

of protection and full disclosure? Of course not. If the tenants of Turner Lane had to vote on their support of an owner-driven subdivision prior to the sale, my guess is that the owner would not have been able to obtain the support needed. But Mr. Constantine and Mr. Hancock did not discuss this in their article, nor have I seen an article that has. This is because the city has an agenda to eventually confiscate the property from mobile-home park owners and convey that property to the tenants so they can reap the windfall of profits generated.

Surf and Sand Mobile Home Park held a meeting to inform the tenants of their intention to subdivide. Within a day of the meeting, the city called and initiated the process to adopt the "urgency ordinance" The new ordinance makes it completely unreasonable and financially impractical for the park owner to subdivide, thus taking this option away. I am quite sure the response of the city would be that Turner Lane has the tenant support in regards to the subdivision and this makes it a bona fide subdivision. The city's definition of a bona fide conversion is one that the tenants support. In other words, the city gave the tenants the power to decide if my family can subdivide Surf and Sand — a veto they will exercise unless they are assured a sale price that allows them to buy the property at a fraction of its real value. The city seems to have lost sight of one important fact. Surf and Sand is private property — private property built, owned and operated by my family. If the city wants to confiscate our property to give it to the tenants, it must pay for it.

My grandparents and father devoted their lives to

developing and operating this park 50-plus years ago because they thought this was a wonderful place to live and wanted to share that with other people. Approximately 25 years after my family built the park, the city implemented rent control. At the end of the day, these tenants have lived in the park 20-plus years, practically for free, and walked away with lots of money in their pockets. For what? For a mobile home that is worth nothing outside of our park.

We are determined to see change and are ready to expend the financial and emotional resources necessary to make this happen. Mr. Constantine and Mr. Hancock have masked their true agenda — forcing property owners to literally surrender their property to tenants, with the aid, assistance and support of the City of Capitola. It is our constitutional right to not have our property taken from us without just compensation.

My father and my grandparents have always done what they considered to be the right thing. Any tenant in our park who has known my father long enough would agree. Well, we are going to uphold that philosophy and fight this fight until we get resolution, because that is the right thing here. We will not continue to watch as tenants come into the park and reap huge profits by the implied sale of our land. They don't have that right.

I would like to see Mr. Hancock and Mr. Constantine devote more of their time to fighting for people who are in need of help instead of choosing to assist people in experiencing windfalls of income from the sale of something that is not theirs.

The Halloween Puzzle

Jason saw three witches land in a field where they found a pile of pumpkins. They agree to sleep in the field and divide the pile of pumpkins in the morning. During the night, one witch wakes up, gives one pumpkin to the ghost, takes exactly $\frac{1}{3}$ of the rest of the pumpkins and falls back asleep. Then second witch wakes up and does the same thing. Later, the third witch wakes up and does the same. In the morning, there are fewer than 10 pumpkins left. They each take $\frac{1}{3}$. How many pumpkins were there in the original pile?

If you are the first to solve this puzzle, you will get a free one years membership to CoMO-CAL and a mention in THE VOICE. Good Luck. Contact us by phone or email pls.

COMENTARY by Frank Wodley

There are a couple issues on my mind and I'd like to share them with you. First of all, mobilehome owners should not join CoMO-CAL to do me, or CoMO-CAL or anyone else a favor. They should only join for themselves. They should join to learn what's happening around the state. They should join knowing that they become part of our family and we look out for our membership. Above all, they should join because this is their best chance to make a difference in their lives! (By the way, they can get their money back if they are not satisfied, or they can join for less than the \$15 if they can not afford \$15.) Our goal is to reach all mobilehome owners and unite them. I would hope that you have come to trust us and would promote us in your park.

We have NO CHANCE against the park owners or their representatives unless we are organized. I've written several times about being in a "war." We are up against a very determined "enemy." Take just one issue: rent control. One attack against rent control came over 11 years ago in the form of proposition 199. Now, in less than 24 months time, we will have both proposition 90 and "the son" of proposition 90. For me personally, I would lose my home if the son of proposition 90 passes. That is worth fighting for, isn't it? I sure think so!

There are many issues in our parks, like interference of sales, management problems, ridiculous rules and regulations, unequal enforcement, and others that affect us on a daily basis. Many park owners and their representatives have a strategy - don't think they don't. They have carefully thought out how they have their managers behave and what information they feed us. It is all part of a plan. They have done their job well! Many mobilehome owners are afraid. (Of course there are exceptions to this. Some park owners really

care about their residents). The situation in most parks is we have already lost the war. Residents are afraid to communicate, to gather, and to organize. The last protection a few of us still have is rent control.

Most of us try to tolerate the situation in our park. But ultimately our rights are being violated and parks routinely take advantage of us at time of sale.

We must all take a step back and put our own issues on hold. I've done that in my park. Why? Because I'm convinced that we can not fight without an "army." We can not fight without organization.

Isn't it about time all of us said we've had enough. I know I have! How about you? Let us know if you feel the same way. Give us a call and say hello—I've had enough! Write or e-mail us.

CoMO-CAL is an OPPORTUNITY for all mobilehome owners to finally mobilize and make a difference. No other advocacy group is doing that!

The concept of mobilehome parks has worked for both park owners and mobilehome owners in the past, but it DOES NOT work for mobilehome owners today. We are "sitting ducks" for abuse, harassment and intimidation. We are losing equity in our homes with every rent increase.

So what do we suggest? Here are a few ideas:

All localities need affordable housing. Let's work with our cities to keep affordable housing by working out a plan where in cities will help us purchase our parks. Let us be in control of our parks and our investment.

In the meantime, let's organize. You've seen movements by illegal immigrants, by the SAG, by auto workers and others demanding fair treatment. Our time has come to picket and bring our plight to

the attention of the public. None of us bargained for this. All we want is to live in our parks, in peace and quiet, without harassment and intimidation, and without the fear of losing our home or being evicted.

There is one possible solution to this problem. Resident ownership of parks. Some how, some way, our cities must help us purchase our parks. This is the only way we will control our destiny.

This goal will not be easily attainable, but it can happen. If we are organized, we can make it happen. Let's rid ourselves of the oppression we experience in rental parks. Just think, no more Western Manufactured Communities Association, no

more Mobilehome Residency Law, no more management companies like Star Management, no more million dollar lawsuits by park owners against our cities.....

It can happen! But it will not happen if mobile-home owners continue to fight among themselves. All advocacy groups must be focused on helping mobilehome owners. Forget our egos, let's work together for the common good. And this means YOU. If you are reading this, you need to participate! We need your help, a few people can't do it alone. Give us a call. Let us know you support our efforts. Ask us how you can help.

HAPPY HOLIDAYS

CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

P.O. Box 4821, Chatsworth, Ca 91313-4821.

MEMBERSHIP APPLICATION (Print Please)

NAME: _____ Date: _____

PARK NAME: _____ SPACE #: _____

MAILING ADDRESS: _____ CITY _____

E-MAIL ADDRESS: _____ ZIP _____

APPLICANTS PHONE NUMBER (_____) - _____ - _____

SIGNATURE OF APPLICANT _____

Check # _____ Amount: \$ _____ Money Order () Amount: \$ _____

MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) 90 day money back guarantee

PLEASE INCLUDE CHECK OR MONEY ORDER PAYABLE TO "CoMO-CAL" & THANK YOU FOR JOINING

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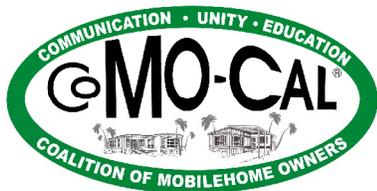


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CoMO-CAL is a non-profit California corporation dedicated to serve mobilehome owners in California.

**Our purpose is education,
communication and to unite
mobilehome owners.**

SERVICES WE PROVIDE OUR MEMBERS

1. Our newsletter, THE VOICE, filled with important information every mobilehome owner needs. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected. And the WHISPER, an informational flyer, sent without charge.
2. Website: **comocal.org**. Members have access to all issues of THE VOICE, attorneys who know the MRL, important links to government, advocacy groups, etc.
3. Small Claims Court Assistance: We will pay your fees up to \$30.00 and help with your paperwork. (Some restrictions apply.)
4. Questions / Problems: Our staff is ready to take your call to advise you regarding questions and problems you might have.
5. We have several attorneys to help with litigation or advice.
6. Now every CoMO-CAL member automatically is a member of CARA California Alliance for Retired Americans.

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