



THE VOICE

COALITION OF MOBILEHOME OWNERS

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WELCOME TO OUR FAMILY

Welcome to all our new members, from El Cajon, Chula Vista, Riverside, Hemet, San Bernardino, Palm Desert, Santa Barbara, Santa Maria and surrounding areas. Welcome and thank you for joining. You are so important to our organization that YOU are front page news.

We believe you will be pleasantly surprised by our organization, THE VOICE, other services, and our commitment to helping you and your neighbors. We hope you will be as committed to us as we are to you. CoMO-CAL is an organization for you, by you. Our way of life has never been challenged like it is today. Please tell your friends and neighbors: "Join and be protected." Together we have a VOICE. Together we have the strength to stand up for our rights. Let's do this TOGETHER!

UPDATE - THE "PROTECT OUR HOMES ACT"

This is the latest on the threat. The initiative was submitted to the Attorney General for a Title and Summary in December 2005, by Anita Anderson. No one seems to know who she is or what group she represents. This initiative, called the Anderson Initiative, and now also called the "**Protect Our Homes Act**" continues to gather signatures to qualify for the November, 2006 ballot. It is very dangerous because it could eliminate rent control and other protections; yet the public is being told it is about **protecting their homes**, i.e. it only curbs Eminent Domain! This is another proposition 199 ploy (from 1996) all over again! They're NOT TELLING us the truth!

We continue to get the word out—— that if this initiative were voted into law, the consequences would be CHAOTIC. In April we sent 3,000 flyers into 200 parks, and we will continue our "flyer" campaign up and until November 2006. We can not afford to let this become law. We suggest you clip and make copies of this article to pass around your park and to inform as many people as possible of this serious threat to our way of life.

Today the initiative appears to be more dangerous than first thought. Our attorney, Jim Holmes of Ventura, has sent us another email regarding this initiative. Here are the key points.

A creative attorney could use the Anderson Initiative to challenge all building codes (because they affect economic use or development of the property); all zoning ordinances (for the same reason), and any use ordinances. If passed, it could simply blow away any economic protections that we have including the State Mobilehome Residency and RV Residency law because those laws have an impact on the economic development of real property. It is so broad that a creative attorney could use it to virtually destroy a number of criminal laws, too, that affect what one can do with their property. It is simply too dangerous to allow into law.

The initiative, by itself, does not eliminate rent control or the MRL, but it is a giant step in a process. If it became law, park attorneys could use it in court to challenge building codes, zoning and use ordinances. We very well could see the loss of all RENT CONTROL and other protections we have in place today.

DO NOT SIGN EMINENT DOMAIN PETITIONS. VOTE NO ON THIS INITIATIVE IN NOVEMBER

WHAT HAVE WE BEEN DOING?

We have been quite busy March, April and May. The serious challenge to rent control continues to be our #1 priority. In April we mailed 3000 flyers alerting mobilehome owners to the challenge to rent control. We targeted those cities that now have rent control (remember about 100 cities and 7 counties have rent control).

Targeted cities included: Hemet, Riverside, Corona, San Bernardino, Palm Springs, Palm Desert, Indio, Chula Vista, and El Cajon. We have also sent flyers to all mobile home parks in North East Los Angeles County—Arcadia, Azusa, Baldwin Park, Corona, El Monte, La Verne, La Puente, Glendora, Pomona, San Dimas, and Walnut. (Remember, we do all our own printing, folding, stapling, labeling and mailing. We are very frugal with your money and do not get reimbursed for any of this work.)

As usual, the response has been only a couple percent, but those that do respond are grateful to know we are here for them. With our “foot in the door” in many new parks we expect to get many members in these areas and alert many more residents - members and non-members alike. Remember our policy is “a membership for every mobile home owner in the state.”

We have had a significant success in the Antelope Valley. See the next page for an article by our AV Group President Ralph Weber.

We are also involved with the Mobile Home Park Task Force in the City of Los Angeles Housing Department. (see pages 6 & 7).

It's time for CoMO-CAL to start a formal legal fund. We have received some donations already and will start a separate bank account just for this fund. We understand how important financial help can be when you are facing an eviction or other matter requiring an attorney. To that end, we are asking each member who wants to be eligible for legal funds to send \$10.00 (see page 8 for details).

Check out the details of a new THE VOICE distribution system on page 9. This will save us time and money.

We are beginning a new column: Members Helping Members. In fact CoMO-CAL is operating as an organization “For our members, by our members.” See page 11.

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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—Los Angeles County for the use of its members.

THE VOICE welcomes articles of interest to mobilehome owners.

BIG WIN For A Little Park **It's The UNITY in CommUNITY**

More than 120 Lancaster mobile home owners from several mobile home parks in Lancaster attended a public meeting to protest a proposal by the Locust Grove MHP owner to more than **double the space rents** for some 75 residents. Spurred on by a recommendation from the Antelope Valley Group of CoMO-CAL to organize and prepare a rebuttal, the **Locust Grove residents** took up the challenge and **won a decisive victory** with their rebuttal before the Lancaster Rent Arbitration Board (RAB) on May 2nd.

The Rent Arbitration Board denied the park owners request for a monthly increase of more than \$167 and, after three rent increase options were tabled, agreed to allow a total rent increase of \$72 to be spread out over a four year period. In essence, the Locust Grove residents will now get an \$18 monthly increase each year starting this year going through the year 2009. The total space rent per month will be \$239 in the fourth year. Locust Grove residents knew that an increase was inevitable when the new owner took over the Park a year ago because, aside from the annual mandated increase based on the Consumer Price Index (CPI), they have had no other rent increases in several years.

Credit for the defeat of the exorbitant rent increase, however, must go to the hard, enthusiastic work of the Locust Grove residents who called the Antelope Valley Group of CoMO-CAL for advice. At a meeting with more than 50% of Locust Grove residents, CoMO-CAL showed them how to get organized and work out a plan to oppose the rent increase before the RAB.

A resident committee began by distributing flyers in both English and Spanish to solicit members for CoMO-CAL and to generate a spirit of cooperation to fight the rent increase.

The key to the success of the Locust Grove residents opposition, however, was the work of a relative of one of the Locust Grove residents, Jeanette Rossling. With some experience in debating issues before public officials, Rossling prepared a rebuttal summation that knocked the socks off the Rent Arbitration Board.

The hearing began with the attorney for the Locust Grove Park Owners, Mark Alpert, spouting technical jargon and legalese about Owners rights to a fair return on investment while using a statistician to elaborate on comparative mobile home park rents near the Locust Grove. He was even allowed an additional two minutes for his presentation. At times he took personal jabs at Jeanette Rossling; claiming she was not an expert, knew little of the law, and was rebutting on conjecture. In addition, Alpert claimed phasing a rent increase over a number of years was illegal and unconstitutional. At one point he even implied that because Locust Grove had many single-wide mobile homes it was not a manufactured home community.

Jeanette Rosslings argument, by contrast, took only 12 minutes, was concise and refuted almost all points of contention by Attorney Alpert. Her argument was in plain non-legal language and evoked the emotions of the audience who applauded a few time during her presentation. **See Big Win / Page 4**

(Big Win, continued from Page 3) It must be noted here that Jeanette Rossling is not an attorney. Her past experience is crunching numbers as an accountant. The residents of Locust Grove originally asked CoMO-CAL if they should get a lawyer and CoMO-CAL advised them to seek help through a CPA or an accounting firm who was more capable of analyzing the calculations, submitted by the Park Owners, as the reason for the huge increase. In our opinion, in cases like this, lawyers are very expensive and not at all capable of analyzing this numbers-oriented situation }

Rossling specifically pointed out that the owners petition did not include facts or figures relating to land adjacent to the mobile home park and a Retail Feed Store, also located on the property. The RAB concluded that without this data, the petition was incomplete, and ruled against a request to postpone the hearing for 15 days. At this point, the RAB panel tried to get a vote on three other rent increase options before voting to approve the \$72 increase over a period of four years. The vote was 3 to 1 in favor of the residents.

Our hats are off in salute to the cooperative spirit of the residents of Locust Grove. They stuck together, neighbors met neighbors for the first time, petty personal arguments were set aside, language barriers were overcome, and they joined in one unanimous voice to fight for their rights as mobile home residents.

We must also be grateful to mobile home owners from several other Lancaster and Palmdale mobile home parks who attended the meeting to support the Locust Grove people. This is the one ultimate goal of CoMO-CAL - to unite all California mobile home owners in our fight against unjust rent increase and management/owner abuses.

Article by Ralph Weber, President, AV CoMO-CAL Group

HOW AND WHY RESIDENTS OF LOCUST GROVE WON

As a win comes so very seldom it seems, it is worth another look. What were the steps (any any park can follow these when dealing with an issue like rent control increases).

- Some Locust Grove Residents were CoMO-CAL members, and they asked for help.
- We helped residents organize. We called a meeting, distributed flyers in the park and held a meeting
- We accommodated Spanish speaking residents by having an interpreter and some info in Spanish.
- We stressed the importance in forming a small committee to represent the Locust Grove residents.
- We recommended the committee retain an CPA, rather than an attorney, because the park proposal dealt with profit/loss/expenses/income issues. The volunteer committee made a plan and carried it out.
- The volunteer committee retained a CPA. The CPA was knowledgeable enough to prepare a presentation for the hearing to rebut the park owner's proposal.
- Our CoMO-CAL family of members in the Antelope Valley supported the Locust Grove residents and many attended the rent adjustment hearing, together with Locust Grove residents.

UPGRADES UPON SALE—WHEN IS THE PARK JUSTIFIED?

Park management may never require upgrade repairs or improvements for a mobilehome that remains in the park unless all three of the following conditions are met:

Condition No. 1: The repair or improvement is to the mobilehome, its appurtenances, or an accessory structure that is not owned and installed by the management, unless the damage has been caused by the actions of negligence of the homeowner;

Condition No. 2: The repair or improvement is based upon or is required by a local ordinance or state statute or regulation relating to mobilehomes, or a rule or regulation of the mobilehome park that implements or enforces a local ordinance or a state statute or regulation relating to mobilehomes; and

Condition No. 3: The repair or improvement relates to the exterior of the mobilehome, its appurtenances, or an accessory structure that is not owned and installed by the management.

In summary, the legal ability of park management to require "upgrades" for mobilehomes that will remain in the park is entirely dependent upon the park management being able to establish the violation of a local ordinance or state statute or regulation relating to mobilehomes that would occur if the "upgrading" were not accomplished.

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SUMMER SPECIAL –MEMBERSHIP DRIVE

- Applies to new memberships only (not renewals)
- If you are not a member today, **YOU can join CoMO-CAL for only \$10.00/12 months** or \$35.00 for 36 months. You receive all the benefits of a full CoMO-CAL member—12 months of THE VOICE, voting rights, small claims assistance, you can join our Legal Fund, advice from volunteers seven days a week, and much more.
- Anyone can earn \$5.00 for each member they sign up (no limit) at regular rate of \$15.00. We will send you flyers you can use for this purpose. If you sign up 10 members (we must receive \$15.00 and a membership application for each new member), we will send you a check for \$50.00
- This “summer special” is a limited time offering. Any new memberships received between June 1, 2006 and July 31, 2006 qualify for the \$5.00.
- Remember, becoming a member of CoMO-CAL helps not only you but your friends and neighbors also. We have strength and a voice when we are UNITED.

LOS ANGELES MOBILE HOME PARK TASK FORCE

Is it really working for L.A. Mobile Home Owners?

Several times last year we wrote about the Mobile Home Park Task Force (MHPTF), a group set up by the Los Angeles Housing Department (LAHD). Although this is a local issue in the City of Los Angeles, we believe it is typical how local governments work (or don't work) state wide and worth your time to understand. Mobilehome owners need to know this "status quo" will continue unless they are willing to take an active interest and participate! NO PAIN, NO GAIN!

According to the LAHD Mobilehome Park Reference Guide, "the MHPTF is an advisory group established by the Rent Adjustment Commission (RAC) in order to provide a forum which allows full discussion of issues (that exist) in mobilehome parks. The members of the MHPTF are mobilehome owners ("mho"), mobilehome **park** owners, and industry representatives (WMA) who meet to discuss and resolve issues and provide advice and recommendations to the Rent Adjustment Commission." The Task Force was formed around 1990 and has met on and off for the last 15 years.

CoMO-CAL President Frank Wodley is a fairly new member of the task force and has identified several issues. One important issue: Is there equal representation for both sides - mobilehome owners and park owners? Here are the facts:

Today the task force has five "mho" members and three park owner representatives. Let's look first at the side of the **mobilehome owners**. Just who are the "mho" members? Who do they represent? And are they working to protect and promote the interests of all mobilehome owners in the City of Los Angeles?

In fact 6600 spaces (62 parks) are covered by the Los Angeles City Rent Stabilization Ordinance– perhaps 12,000 owners of mobile homes and less than 60 park owners (some park owners own more than one park). Any "mho" who volunteers usually becomes a member (in spite of the fact that many mobilehome owners may be pro-management). For years, "mho" members have been just that - mobilehome owners that have volunteered for whatever reason. They have not represented any group of mobilehome owners, nor have they made much effort to disseminate information gleaned from meetings. They certainly HAVE NOT represented the 12,000 mobilehome owners in the City of Los Angeles. They attend to ask questions important to them or perhaps their park. They usually do not communicate with residents in other parks.

What about the Housing Department? Surely there must be procedures and guidelines for this task force. In fact, NO. There have been no guidelines regarding participation, i.e. "mho" members might not attend for several years, yet were still considered "members." No attendance records or minutes have been kept. There are no guidelines regarding meetings - how many from each side are required before it is an "official" meeting. The LAHD has made no effort to update the membership list in the event of a members death, inability to serve, lack of interest, moving out of a park or other reason. As a consequence the "Guide" is often out of date. The Housing Department has not made any effort to inform residents that they even need volunteers. **(Continued on Page 7 / Task Force)**

(Task Force / continued from Page 6)

So **what about the other side - the park owners and their representatives?** What about their members on the task force? Most of the time three high level Western Manufactured Communities Association (WMA - the PARK OWNER'S group) representatives attend task force meetings: Clint Lau (past president), David Evans (Southern Regional Rep) and Bill Schweinfurth (Vedder Community Management). These three REPRESENT park owners through out the state of California. Surely they communicate with all their members (1700 park owners approximately). All three are paid by park owners to **promote and protect the interests of park owners**. And please know the WMA is very strong.

CONCLUSION

Obviously there is a considerable **imbalance** between representation for mobilehome owners and representation for park owners. Park owners have representatives that are very knowledgeable about mobilehome issues, and they are paid by park owners to promote and protect park owners interests. They attend all meetings and are a strong, unified group. On the other hand, Los Angeles mobilehome owners are, in fact, not represented at all. Their “representatives” are novice mobilehome owners who might have some interest, but are not trained or paid, and are certainly not professional. They are well meaning and have given their time, but ultimately they have only allowed an “illegitimate” group to appear legitimate. Both the LAHD and park owners would have us believe there is equal and fair representation and the task force serves interests of park owners and mobilehome owners alike. Nothing could be further from the truth. Neither the LAHD or Rent Adjustment Commission seem concerned whether or not there is **good** representation by mobilehome owners, just as long as some representation. In fact the new chairman claims this is really not an important issue. It is not surprising that the LAHD has no procedures, policies, minutes or records and promotes a Guide which we feel is again highly biased toward park owners. REMEMBER, this is only one issue with the MHPTF.

What does CoMO-CAL recommend?

The next meeting of the “task force” is August 1, 2006. CoMO-CAL must begin a campaign of flyers into the 62 parks in the City of Los Angeles to inform residents of this situation. We intend to alert residents regarding our concerns. We will ask for residents to step up and help us. Frank Wodley and CoMO-CAL will continue to work to unite the four other “mho” task force members so that any action will be supported by all “mho” members. We are looking for a viable solution. This is a serious issue which can not be resolved over night. We feel many issues must be resolved before any mobilehome owner can consider sitting on the Task Force again.

The LAHD and park owners want to continue the status quo. However it will take considerable time and effort to insure the MHPTF has fair and equal representation. And the 12,000 L.A. mobilehome owners will first need to know those sitting on the task force actually represent them. We can not sit back and allow the “task force” to continue as it has. We are only playing into the hands of the park owners and their representatives. Bottom Line: **THE TASK FORCE DOES NOT SERVE US!**

LEGAL FUND - LET'S DO IT!

We must have a legal fund to assist our members with legal costs. To that end, we are asking for contributions to a legal fund by all members. It will work as follows:

- For a mobilehome owner to be eligible for legal funds, they must be a current, paid member of both CoMO-CAL and legal fund.
- Legal fund membership per 12 month period is \$10.00. **No application needed. Just send a check for \$10.00 with your membership number on the memo line. Please include "Legal Fund" also.**
- There will probably be some kind of waiting period, perhaps 30 days, before you are eligible.
- Funds collected will be deposited in a separate bank account marked "Legal Fund."
- CoMO-CAL has already received some donations for the legal fund.
- **CoMO-CAL intends to use this money as it becomes available.** There will NOT be a fixed goal of funds that MUST be reached before funds are available. This is your money, not CoMO-CAL's.
- The CoMO-CAL Board of Directors will decide who receives legal assistance, in the form of a grant. This grant, up to \$2500, can be used for attorney fees by our member. Should the member win the case and be awarded attorney's fees, they would be required to reimburse CoMO-CAL.

We feel we must start somewhere. Many of you probably have suggestions and we are open to them. We feel we can help several members the first year. Consider this "insurance" and get your money in. CoMO-CAL will not use these funds for any purpose but as we have explained above. These moneys belong to the members of the legal fund and are solely for their use.

MEMBERSHIP DUES - SIGN UP FOR 3 YEARS NOW

We now offer a **3 year membership at a discounted rate of \$40.00.** This will help us both. Our paperwork will be easier and your membership will be guaranteed for 3 years at \$13.33/year. Those who have already renewed for 2006 may send in \$25.00 to extend their membership an additional two years (their original \$15.00 plus the \$25.00 add up to \$40.00). Also our new members may send the \$25.00 to join for three years. Just send a check with your membership number on the memo line to insure proper credit.

Many members continue to be confused regarding renewal dates. It is actually easy to figure out. Just look at **the 2nd and 3rd numbers in your membership number** - they refer to the month you joined. For instance if your number were 50610027, the month you joined was 06 or June. Your dues would be due May 30th and we appreciate your renewal—it is so important to both you and CoMO-CAL.

NEW DISTRIBUTION SYSTEM—JULY TRIAL

If you live in any of the parks below, your JULY VOICE will be available by JUNE 28th. **Just go to the contact person for your park and they will give you a** newsletter - in some cases they will hand deliver it to you. If you can not pick one up, please call the contact person and make other arrangements. Remember, this is a trial run. We hope to have any problems resolved within a short time. **All other members will get their VOICE by mail.**

The following parks will participate in a trial—the distribution of the **July VOICE**:

Antelope Valley:

- Boulders II - Billie Thomas (Space #123, 661-943-3119)
- Hacienda - Barbara & Ben Renshaw (Space #137, 661-942-2905)
- Locust Grove - Ralph Weber (Space #38, 661-723-6997)
- Leisure Lake - Ralph Weber (Space #38, 661-723-6997)
- Quartz Hill—Floyd Gilbert (Space #36, 661-722-5799)
- Sherwood - Ralph Weber (Space #38, 661-723-6997)

San Fernando Valley:

- Canoga MHP - Ruby Kline (Space #203 818-341-1479) & Tony Sansone (Space #363 818-718-0747)
- Chatsworth MHP—Frank Wodley (Space #31, 818-886-6479)
- Chatsworth Imperial-Richard Ramirez (Space #160 818-718-6169)
- Kona Kai / Riveria—Laurel Fielding (Space #37, 818-709-8022)
- Oakridge—Herb Jensen (Space #524, 818-833-7022)
- Sylmar Mobile Manor—Gladys Jackson (Space #34, 818-362-0262), Cliff Kenny (Space #21, 818-362-9485)

Santa Barbara County

- Rancho Santa Barbara / San Vicente—Tom Jordan (Space # 135, 805-964-9838)
- Sandpiper—Kathy Mattes (Space #32, 805-684-0246)

This new program was introduced for the following reasons:

- Members get their newsletter in a timely manner and in good condition.
- We save most mailing costs.
- Staff no longer must fold, staple, label, and mail individual newsletters—resulting in considerable time savings - for these parks.
- We hope it promotes communication and unity within each park. The “park rep” will have a list of all members in his/her park. We will also ask them to be membership chairman.

NEWSLETTER BY EMAIL

We have begun our program to email THE VOICE to those members with email that want to receive it early. We appreciate their participation in this program because it saves us time and money. Anyone wanting to receive the newsletter by email please send an email to “comocal@yahoo.com” and indicate your desire to get THE VOICE by email. Thank You!

Mobile Home Residents in Uproar Over Sale Plan

By Gene Maddaus, DAILY BREEZE

The new owner of **Carson's** second-largest mobile home park plans to convert it to a "condominium park" -- forcing some residents to either buy the land underneath their homes or face dramatic rent increases.

By converting Colony Cove Mobile Estates to "resident ownership," the owner, James Goldstein, would be able to circumvent Carson's strict rent control ordinance. Goldstein also stands to profit from the sell-off, and has made it clear through representatives that he is unmoved by widespread opposition to the plan from the park's residents.

Residents John Goolsby and Grace Follette oppose property owners efforts to make tenants buy the Colony Cove mobile home park. Residents have banded together to oppose the idea, packing the park's clubhouse to overflowing Tuesday night in a show of solidarity. "I'm gonna fight him at every step of the turn," said John C. Goolsby, president of the Colony Cove Rental Committee. "This'll be 10 years before he can pull this off."

Goldstein and two partners bought the park, on the east side of Avalon Boulevard south of Albertoni Street, on April 5. He already owns the city's largest park, Carson Harbor Village, which is across the street to the west from Colony Cove. For the past three years he has been working to convert Carson Harbor Village to resident ownership, though the city has tried to block the effort.

Colony Cove is home to 400 mobile homes owned by seniors above the age of 55. They rent their spaces for about \$400 per month. Residents received fliers announcing the change of ownership a few days ago. Under the plan, residents could buy their spaces and join a condo association, to which they would pay dues. The sale price of the spaces will not be known until Goldstein commissions an appraisal, but residents guessed it would be in the range of \$100,000 to \$140,000 per space.

Many residents said they had no interest in buying. "There would be no way I could afford it," said Lou Howlett, who has lived in the park almost 20 years. "I'd have to deplete all my savings and then have nothing left to fall back on."

The conversion would remove the park from the Carson rent-control ordinance. The owner would then be able to raise rents dramatically for moderate-income tenants, perhaps as much as doubling rent in four years. The state rent-control law would protect low-income tenants -- for singles, that means those earning less than \$38,800 per year -- which is perhaps a majority of the park.

The fliers pitched the change as "an opportunity to choose what is best for your household and benefit from increasing land values!" "I guess they think because we're a senior home, we're senile and stupid," Goolsby said. "We are not stupid." "They don't have our interests in mind at all," said another resident, Regina Galyean.

Goldstein's attorney, Sue Loftin, held a meeting on the conversion on Wednesday afternoon. Though a reporter and photographer were barred from the room, residents said the meeting was confrontational. "They said it's a foregone conclusion," resident Hugo Bakos said. "Most people objected and said, 'No, you've got to put it to a vote.' "One woman was in tears, residents said, as she told the attorney, "This is my golden years. I wanted peace and quiet."

Richard Close, an attorney representing Goldstein, said that in other parks residents come to see the benefits of ownership. "It's premature to measure happiness (with the plan)," he said. "It's a complicated process. When people understand the process, they'll understand the benefits and they will support it." The owner plans to submit a condo-conversion application with the city by midsummer. **(See Page 11 / Uproar Over Sale)**

MEMBERS HELPING MEMBERS - PASS THROUGH REVISITED

The issue of a pass through is a good example how UNITY does work. CoMO-CAL has many, very talented and knowledgeable members and staff. Up to now their "area of influence" was probably limited to their own park. They have been involved and have learned about and dealt with many mobilehome related issues where they lived and as a consequence gained considerable expertise. We have members who have belonged to other organization and/or still do - many chapter presidents and area managers. We are a family. We are a team. Members can and will help other members. To that end, please send your questions and issues into CoMO-CAL. Our "team" is ready to answer them or at least give you some direction.

Question: In what circumstance can an owner NOT pass through costs to replace utility lines in his park?

Answer: When the park provides the utility to the residents and bills for it. The park receives a discounted utility rate from the provider. This difference should be used by a park owner for maintenance and replacement of utility lines. Let's take an example. If Northridge MHP residents were on separate water meters and the park read them and billed residents for water usage, then the park owner could not pass through to residents the costs for the replacement of new water lines.

Question: What about Indian Hills?

Answer: The same applies in the case of the new work in Indian Hills. The key words are "maintenance and update of facilities."

Remember our article in THE VOICE, November, 2005, Page 4:

Can the Mobilehome Park operator charge park residents for repair and update of facilities?

Answer: The Commission Decision is D.95-02-090. Recovery of costs of owning, operating and maintaining a sub metered utility system is included in the discount the park receives from the utility providing service to the park. **The park may not pass onto tenants additional costs for repair and maintenance to the sub metered utility system within the park.**

(Uproar Over Sale, continued from Page 10)

The city has "very limited, if any" discretion to deny the application, said Ron Winkler, the city's economic development general manager.

Goalsby said state law requires a survey of resident support for the conversion before it can go forward, but Close said the survey is for information only, and residents cannot vote to stop the conversion. Residents were gathering funds to hire an attorney, and the issue seemed likely to end up in court.

Mayor Jim Dear said he would do "whatever I can" to protect the mobile home residents, but acknowledged the city's powers are limited. "Free enterprise allows the seller to sell to who they want to," Dear said. "It would not be my first choice for a buyer."

FIGHT COSTS SANTEE

Rosemary Weck and her neighbors gathered around well-worn shuffleboard courts one bright April morning, pushing disks and catching up about goings-on in their gated mobilehome park, Meadowbrook Estates.

Weck, 85, and her husband, Fred, 87, moved to this peaceful spot on the city's western end five years ago to escape soaring homeowners' fees on their Del Cerro condominium. Buying a mobile home fit their budget because of the city's rent control law for such dwellings.

The law is a lifeline for many of the estimated 2,500 people renting mobile home spaces in the city, a vulnerable but politically influential population made up mostly of seniors on fixed incomes. The law also helps the city preserve a stock of affordable housing. But at what cost?

Santee has spent about \$1.2 million over the past 12 years defending the polity in courts, more than any other single legal matter in that time. The city has succeeded in court, but property tax revenue is still paying for five lawsuits. It's difficult to say when—or if—the costs will ease up.

"If history is any guide, there will be a lull another case, and then another round of lawsuits," said City Attorney Shawn Hagerty. The legal bills are only part of the cost. City staff time spent carrying out the policy has helped push the total to \$2.6 million from 1993 through 2005.

The city is one of a handful in the county with mobile home rent control. Statewide about 100 cities and counties have some form of the policy, which generally involves capping the amount a landlord can charge in rent.

Rent control supporters say some park owners try to drown cities with lawsuits until they can no longer afford to fight. Opponents, meanwhile, argue that park owners aren't getting a fair rate of return on capped rents, making it tough to maintain the parks the way they'd like to.

It's not fair to place the burden of affordable housing on one segment of the housing industry, said Sheila Dey, executive director of the Western Manufactured Communities Association, a Sacramento trade association representing park owners across the state.

Santee Mayor Randy Voepel, who once lived in a mobilehome, said as long as he is at the helm, he will support paying whatever it takes to defend the law. "There is no upper limit with me," he said. "If we have to go to the (U.S.) Supreme Court, I'm prepared, and that costs millions, but I'll go in a New York minute."

Councilman Jack Dale, a longtime opponent of rent control, said he would've rather used the money swalled by legal costs to help mobile home residents buy their parks. But he and other council members vote month after month to continue defending the policy.

Mobile home residents in Santee have traditionally turned out to vote in high numbers, and their local advocacy group, Santee Mobile Home Owners Action Committee (SMOAC), endorses City council candidates come election time. Politics usually play a role when a city council approves rent control, Dey said. Park owners are one vote, residents are 200, and it's easier to give them what they want and place the burden on the park owner", Dey said. Santee's ordinance applies to residents who own their mobile homes but rent the space underneath with leases of up to one year. The residents believe the rents—now set at around \$250 to \$850 a month—should be more comparable to home-owners' fees than apartment rents. (see Page 13 / Santee)

(Continued from Page 12 / Santee) They never intended the legal wrangling to drag on this long or to cost city taxpayers this much, said committee president Karen Bisignano.

“We knew it would be challenged, but this kind of ongoing, wear-you-down kind of continual stuff, no,” she said.

Santee adopted the controversial policy in 1994 after years of debate. Since then, the city has faced challenges primarily over the law’s constitutionality.

To help cover the legal costs, Bisignano said her action committee pushed for a special city fee on mobile home park owners and renters. The fee generated \$200,000 before it was ruled invalid by state judges in 2003 and 2005.

Bisignano said the committee is grateful the city has kept up the fight over the years.

Even though the city is in the midst of a housing boom, development has cost virtually nothing in legal expenses because developers are required to cover those bills. It’s the mobile home rent control litigation that has pushed up legal costs the most.

Santee spent \$886,000 on legal bills in fiscal 2004, more than half of that on a flurry of rent control litigation. The city’s legal bills typically average between \$400,000 and \$500,000 a year.

Santee paid about \$541,000 in fiscal 2005, with developers chipping in about 51,000/ By comparison, Lemon Grove paid less than a third of that, and Poway and La Mesa paid less than half.

Santee’s total was closer to El Cajon’s, a city nearly double its size. Chula Vista dwarfed all others, though, racking up at least \$2 million in legal bills. Escondido, which also has a mobile home rent control law, has spent “hundreds of thousands” defending the policy. The city’s legal fight even reached the U.S. Supreme Court in 1992, when the nation’s highest court unanimously upheld the city’s ordinance.

San Diego law firm Best, Best & Kreiger has represented Santee since 1996. The firm charges a monthly fee of \$13,000, tacking on additional hourly charges for litigation and projects. Three attorneys handle the city’s mobile home rent control litigation.

The city has succeeded in every case, and future legal costs will depend largely on whether opponents continue to challenge the law, Hagerty said.

“Where we sit, it’s the burden of the other parties to try to get those reversed”. Hagerty said. “My hope is that we continue to prevail and eventually have these cases resolved.... That’s a goal of our office.”

Currently, the city is involved in five separate lawsuits regarding its rent control ordinance. Those are:

- A suit filed by the city against a Chicago-based Equity LifeStyle Properties, Inc (formerly Manufactured Home Communities), which owns Meadowbrook Estates, arguing that the company illegally raised rents in January 2004, and should have not charged a \$920 one-time rent increase. The case is pending.
- A suit filed by the Santee Park Owners Association against the city challenging a provision in the city’s ordinance that says when a tenant sells a mobile home, he or she can also pass along the rent to the new tenant. A judge ruled in favor of the city, and an appeal has been filed. **(see Page 14 / Santee)**

(Continued from Page 13 / Santee)

- Three other suits filed by Equity LifeStyle Properties against the city challenging constitutionality. Judges ruled in favor of the city in all three, but the company is appealing two. A portion of the third case is still pending.

Back at Weck's Meadowbrook Estates, the homeowners association has also sued Equity LifeStyle Properties to try to stop the company from charging what residents believe are legally inflated rents and to seek reimbursement for those rents from 2001 to today.

To try to speed up the legal process, resident Jim Montague, 75, is taking drastic measures. He withheld part of his April rent check, and now Equity Lifestyles is taking steps to evict him, he said.

"He's going to be the guinea pig," said neighbor Ron Shatto, 74.

"If I win mine, then the whole park will do it, Montague said.

An attorney with Equity LifeStyles could not be reached for comment.

Residents say what they really crave is stability. "A lot of the women in here....have ended up single and they can afford to stay here because rent control". Weck said.

If the same happens to Weck, she said, "I'll need a place I can afford as long as I'm on my two feet."

PARK OWNER STRATEGIES

By Frank Wodley

We should continue to be aware there is a grand plan by park owners. (This reminds me of Nazi Germany and the Jews! But this is right here in the good ol' U S of A.) They continue to work to keep us divided—no clubhouse, and no flyers in parks. In fact David Evans, WMA Southern Regional Representative, at the May 3rd MHPTF meeting, suggested the following topic for the next meeting: "Flyers in parks must have park management approval before being allowed in a park." They close our clubhouses, we have no idea who our new neighbors are, and now they want to control the distribution of literature in our parks. Of course they know WE ARE allowed to distribute flyers in parks - CoMO-CAL can if we have a member in the park, otherwise the park can say we are trespassing.

Do you notice the park is taking special interest in the older mobilehomes in your park? Especially the single wide mobile homes? Why? Of course it all comes down to MONEY. If they can prevent your sale and force you to sell cheap to them, they make money several ways (we've already written at length about this in the THE VOICE). Often times the manager will approach us saying they have a buyer. The manager is motivated obviously because they get some of the action.

I've tried to get important issues on the agenda at the MHPTF. Issues like "interference of sales in parks." If David Evans can force a discussion of management's approvals of all flyers, we certainly should be able to discuss "interference of sales."

CoMO-CAL SEMINAR/MEETING**The Challenge to Rent Control, the Mobilehome Residency Law****And Our Way of Life****MOBILEHOME OWNERS SHOULD ATTEND****WHEN?****Saturday, June 10, 2006. 10:00am (MORNING)****Wednesday, June 14, 2006. 6:30pm (EVENING)****WHERE?**

Location: At the Chatsworth Chamber of Commerce Meeting Room (North-West Corner of the building- Chatsworth Metro Link Train Station between Lassen and Devonshire, Canoga Ave and Owensmouth, just East of the RR tracks.). Call Frank @ 818-886-6479 for further info.

ALL Everyone invited. Bring your questions.

Donation requested to help us fight to preserve our way of life.

You need to know how the Protect Our Homes Act can eliminate rent control and perhaps other protections. Get the word out in your park. All mobile home owners are invited.

QUASIHOMELESS Locally Comes True **(Wisconsin)**

Living in an MHP, referred to in a past issue of the Vanguard as quasihomelessness, is very likely to come true for the inhabitants of 45-year-old Hickory Lane MHP in Madison. A developer wants to build expensive condos, and the owners will most likely capitulate by selling the land for a huge profit. That means the residents living in 42 units could become homeless--unless they can afford housing elsewhere. None of the residents at Hickory ever had any interest in establishing a homeowners chapter, but now it's a little late to do much except attempt mediation.

They will lose the roof over their heads, most likely with ZERO compensation because their homes are too old to move or be accepted elsewhere--even if they could afford to move them. State law is a void on this issue. The redevelopment-pressure scenario is playing out across the country in Florida, California and in other states. There's a lesson here for the rest of us: get yourselves organized NOW!! State law prohibits retaliation from landlords and managers! Document everything and take pictures to protect yourself.

Written by Kirsten Zehner, President, Wisconsin Manufactured Homeowners' Association, Inc.

TIME IS RUNNING OUT - EDITORIAL

Our parks used to be nice places to live. They were communities where residents were happy, outgoing, and living together in harmony. Managers respected us and we called them our friends. Some even promoted "resident advocacy organizations."

What has happened?

Today many residents relate their lives in mobilehome parks to life in Nazi Germany. In fact we've heard several managers referred to as "Hitler." Our lives today have NO RESEMBLANCE to life here 30, 20 or even 10 years ago. Managers intimidate, make up their own rules, and alienate residents. They use the "E" word - "I'll evict you..." Parks are pressuring residents to move their older homes. They are passing through expenses for maintenance (Northridge is a good example).

Who is protecting us?

NO ONE! Housing and Community Development (HCD) only enforces health and safety issues. They DO NOT enforce the Civil Code. And usually local government won't get involved. We are essentially on our own. When push comes to shove, residents usually move. If we decide to fight, we have to hire an attorney and you know the cost can be many thousands of dollars.

What about GSMOL?

GSMOL has tried uniting residents across the state. In the early 1990's they had almost 100,000 members and a budget around \$1.5 million dollars. They have worked hard to get new laws on the books to protect us. In fact I was a GSMOL Chapter President, Associate Manager and Delegate at two conventions. Those who know me know I've fought for more enforcement, a ELF fund that is activated and helping mobilehome owners, and a way to turn around membership loss. I've gone to conventions and listened as many have said we have more laws to protect us here in California than any other state. My hope is GSMOL will now team-up with CoMO-CAL in order to REALLY ENFORCE the laws we have today.

Then why is this happening to us?

Simply greed and power. And very few are challenging park owners and management. Managers feel powerful, sometimes for the first time in their life. They strut around with a smile on their face. They know the owner will support them, as will the park attorney, no matter what they do to residents. The park owners know they can get away with most anything they try because residents are not organized and lack funds and the willpower to fight back.

Will this trend reverse itself?

NO WAY. Many park owners are networked together. They are advised how to make the most profit, and how to take advantage us for their own gains. What do they have to lose? Why not try to get someone's home? Why not try to evict them? Why not try to get them to move their home out of the park? After all, the park can always back down and try the scheme on a more vulnerable resident. They have

seen their profits increase using many tactics. They have become more powerful and rich. At our expense.

What are park owners doing today?

Reading just one issue of the VOICE should alert you that park owners across the state are working hard to eliminate any protections we have today, and further curtail our rights. Step by calculated step, we are losing. With every new set of Rules and Regulations, with every lawsuit to eliminate rent control, with every long term lease, with every out-of-control manager. WE ARE LOSING. Our friends and neighbors are moving, they have had it with life here. But that's just what park owners want us to do! Give in and not fight. Just look how hard they work to keep us divided. Look how hard they work so we won't communicate with each other! That's how they keep us in line.

Why won't residents get involved?

Most mobilehome owners have NO IDEA what's happening around the state. They don't know how hard WMA is working. They don't know they're part of a "grand plan." Of course they only want to live in harmony with their neighbors, following the rules of the park and paying their rent. Unfortunately this is not enough today. Park owners want more! Yet, residents don't want to be involved and feel someone else is working hard to protect their interests. THIS IS NOT HAPPENING. If you live in a park where you rent your space, you are vulnerable to the whims of the land owner. YOU ARE INVOLVED.

What can you do?

Join an advocacy organization and take an active interest in it. Make sure it is addressing your needs as a mobilehome owner. Make sure you are informed. You may not feel a need today because your life is relatively pleasant, but this could change overnight! Be prepared.

If every mobilehome owner joined an organization and contributed just \$5.00 and an hour of their time, we would have several million dollars and hundreds of thousands of volunteer hours—just think what we could accomplish! We would have enforcement of our laws. We would immediately deal with a problem. Soon the park owners would get the message "Don't tread on Us! We're United! We're Strong."

Get involved. Call or email us. Let us know what's happening in your park. Volunteer an hour a month. We need your active participation. We need more members like Charles H, Denise, Betty L., Leslie L., Gail, Ben, Jerry, Sandy, Dwight, Tom, Doris and others.

We can and will support you. But we can't do it for you. We can advise, assist, educate, refer... We want to enable you to protect yourself. We want to educate you as to your rights.

Remember, we are all responsible for our situation today. Our only hope is to unite and for all to participate. Don't just read THE VOICE, do something. Pass flyers in your park, talk to your friends and neighbors, send in a donation, volunteer your time... If we don't get our act together today, there may be no tomorrow. We're running out of time. We may have no choice but to pack our bags and leave town. But to where? (We welcome your comments: Email us at: comocal@yahoo.com)

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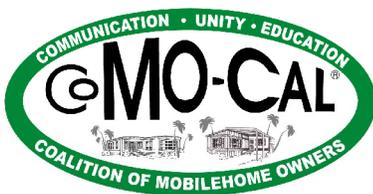
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**Our purpose is education,
communication and to unite
mobilehome owners.**

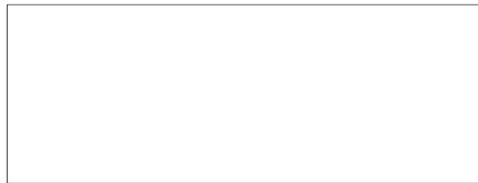
SERVICES WE PROVIDE OUR MEMBERS

1. 12 issues of THE VOICE. Usually 20 pages long, filled with important information no mobilehome owner should be without. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected.
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 give advice.
6. Above all, a way to UNITE and have a VOICE.

TIPS AND SUGGESTIONS

1. Put everything in writing to management.
2. Do not sign long term rental agreements or leases. Anything over 12 months voids rent control.
3. Know the Mobilehome Residency Law. It has taken years to legislate these laws and they were written to protect you.
4. When you receive a 7 day notice, be sure that management is enforcing the rules and regulations fairly, i.e. if others are violating the same R&R, they too must be given a 7 day notice.
5. Maintain your property. This helps keep the value of your mobilehome, and motivates your neighbors to also maintain their properties.
6. Know that you rent is late after the 5th day it is due. If you have not paid during this grace period, the park can give you a 3 day notice to pay or quit. If you do not pay in this 3 day period, the park can take action to evict you. You have no defense! So be sure you always pay your rent on time.
7. When the park introduces new Rules and Regulations, the park must hold a meeting with all park residents invited. If there are rules or regulations you are not happy with, you must make the park aware.
8. Tell your friends and neighbors about CoMO-CAL. Our success will be accelerated with your active participation.

CoMO-CAL is a non-profit California Corporation dedicated to serving mobilehome owners in Southern California. Our purpose is to educate, communicate and unite.



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