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Mobilehome
Magazine

Serving
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Did You Know?

MEETINGS WITH MANAGEMENT

Did you know you can request a formal meeting with management? You probably did. However you probably didn't know that the topics of the meeting are very limited. You can discuss maintenance, loss of amenities, rental agreements and rules. That's it! You can't discuss issues with management, harassment, intimidation, interference of sales and the like. Pretty sad! Who made up these laws anyway.

You will find a similar situation with the Ombudsman. Their hands are tied and they can't help with MRL issues as you will read below.

OFFICE OF THE MOBILEHOME OMBUDSMAN

Here are some little known facts about the Office of the Mobilehome Ombudsman.

a. The sign of the Office of the Ombudsman, as provided by the Department of Housing and Community Development, must be posted by management (798.29). Have you seen it in your park? Surely many parks don't post.

b. You will note that the scope of services offered by the Ombudsman is very limited, they offer assistance with Health and Safety issues, with Unlawful or unfair sales practices, with New Manufactured Home warranties, and Titling issues.

c. The Ombudsman CAN NOT give you assistance with civil code issues - those which are found in the Mobilehome Residency Law (MRL), including but not limited to unfair or illegal management practices, rent or fee increases or disputes, or the enforcement of the MRL.

d. We recently called the Office of the Ombudsman. After listening to a list of several options we did speak with a live person. We asked how they handled a question about the civil code. They said they refer the caller to their website, where the caller could download the MRL. And they advised the caller to get legal advice, because they are not attorneys nor can they help with legal matters.

In our opinion, this is unfortunate. Many believe the Ombudsman can and will help them. We've heard of residents and HOA's sending the Ombudsman a "complaint" only to get back a form letter the Ombudsman does not offer legal help.

We also asked if the Ombudsman referred callers to GSMOL and/or Mobilehome Magazine. They said NO.

Our suggestion: If and when you have an issue, consult the FAQ Handbook. Then read the appropriate section in the MRL. If you still have a question, send us a short email

or letter and perhaps we can direct you to someone that can help. Our email address is frank@mobilehomemagazine.org.

MOBILEHOME PARK RENTAL AGREEMENT (LEASE)

When a park is constructed there must be a Conditional Use Permit issued that contained all the standards and requirements of the Mobilehome Park Act, Title #25, authority cited by the Health and Safety Code.. These became the terms and conditions of park tenancy, MRL798.8.

When all these standards and requirements were installed and provided a Permit to Operate was issued. The Base rent was established for the use of the lot, utility installations, park facilities and services, MRL798.12.

This Permit to Operate a mobilehome park must be renewed each year, in accordance with all the provisions of the Health and Safety Code.

When the homeowner contracted to place his/her home investment in the park both park owner and homeowner had a vested interest in the park—co-investors.

The park owner was required to give the homeowner a **written rental agreement** that contained all provisions of tenancy. MRL 798.15 (a-h).

A copy of the Mobilehome Residency Law (MRL) was required to be attached to the rental agreement and incorporated by reference, MRL 798.15 (c).

The rental agreement may include other provisions permitted by law , but need not include specific language contained in state or local laws not a part of this chapter., MRL 798.16. (Title #25, Health and Safety Code, Contract Law, Public Utility Commission laws, the Business and Professional Code, Landlord Tenant laws)

Note: The conditional use permit for your park is their permit to operate. This is part of your terms and conditions of your tenancy.

DOES MANAGEMENT HAVE TO ABIDE BY RULES AND REGULATIONS?

The answer is yes and no. If the manager lives in the park and is a resident, then yes. However that same manager does not have to abide by the park rules and regulations when acting as a manager and doing park business. This is a loophole park owners know quite well.

Mobilehome Magazine

Serving Mobilehome Owners in Northern California

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Let's Help GSMOL Help Us by Frank Wodley

I would think you'd agree if I said "no group can do it all." I personally understand that fact after running the statewide group COMO-CAL (The Coalition of Mobilehome Owners - California) from 2005 - 2016. At the end of 2016, I decided COMO-CAL was not the best organization to serve local homeowners. My thinking extends to GSMOL. As my friend Milt Burdick, ex-GSMOL Region Manager for Region 3 stated: *There should be no misunderstanding, GSMOL is a statewide organization whose primary focus is on statewide issues. Many issues can and should be dealt with at the local level with a minimum of involvement by GSMOL.*

Services. So who should serve local homeowners? The answer is simple, local groups, like OMHA and SMMRA, should serve local residents in Oceanside and San Marcos, respectively. That means being available to answer questions, and provide some legal assistance when needed. I believe any local group can provide homeowners in these services:

- A 24-hour hot-line to help and assist members.
- Limited legal help for members, such as letter writing...
- A monthly, full color magazine for all residents in their respective local area
- Training and education for members.
- A statewide lobbyist via GSMOL

Finances. You might ask, financially, how can a local group do so much? I believe they can do the above and more. Every local group would be free to charge whatever they decide; however, I'd suggest \$24 annual dues. A portion* of the \$24 would go to fund GSMOL's lobbyist. Of course, this means GSMOL's work is funded automatically, no more beating the bushes for members as GSMOL would not longer need members. Every member of every local group would support GSMOL's work! That in it self is a break through. The balance of the \$24 would remain in the local area, serving local homeowners. After all, it is their money, right? Shouldn't they be the ones to benefit, not someone 1,000 miles away?

Only one group. As a homeowner, you would **only join one group**. For example, if you live in Oceanside, that group would be OMHA. OMHA would help fund GSMOL's lobbyist, an attorney, their own work and local park homeowner associations.

Local groups? Let's take San Diego where there are 39,000 mobile/manufactured homes. There are already three local groups in the general San Diego area: OMHA, SMMRA and SMOAC (Santee). However, residents in San Diego, Escondido, El Cajon, etc. are not served.

This can be solved, i.e. everyone served, by forming a new group to serve them - it takes only three volunteers. And as it gets bigger, it can divide. If San Diego has four groups, that means approximately 10,000 homes per

group. If each has just 500 members, that's only 5% membership, a very reachable number. Just watch!

Free magazine for all groups. Mobilehome Magazine has already offered all local groups a magazine. That offer is still good today. Today four groups are taking advantage - OMHA, SMMRA, SMOAC and the Vallejo/Napa group. The way it works is each group uses the magazine as their voice, we supplement content, we print 3,000 or more magazines for each area, and the local groups are responsible to deliver the magazines door to door.

What about The Californian? Today, *The Californian* is published three times a year and is mailed to GSMOL members. I suggest Mobilehome Magazine print *The Californian*, at no cost to GSMOL. There are several benefits: a) Less expenses for GSMOL, b) A better quality magazine and c) It can be printed monthly if necessary. I also suggest all homeowners supported by a local group receive it.. In that case, a portion of each "local" magazine can be devoted to GSMOL's work in Sacramento.

Everyone should have some skin in the game. Everyone wanting to be 'connected' can receive a magazine when they are served by a local group. Those that don't care or don't want to be connected, that's fine also. But I suggest everyone receiving a magazine make a donation of \$5/year to the local group. This way they are connected at a low cost (40 cents per month), and they will appreciate the magazine more.

Additional revenue for groups. I've always said as soon as the magazine becomes profitable, I'll share profits with each local group. This could mean **thousands of dollars additional revenue** for each group!

This reorganization solves issues. I'd like to see all local groups act under a common set of rules. Rules might include a) Transparency, b) Code of Conduct, c) Code of Ethics, d) Guidelines for elections so they are democratic and all members have a vote, e) Good communications, etc.

Competition. Competition can be a good thing. Regional groups can compete against each other in areas such as homeowner satisfaction, member growth, etc. Groups falling behind can be helped to improve. It all leads to an advocacy that better serves the community. And at a cost equal to or less than homeowners pay today.

GSMOL can help. GSMOL can suggest their members join a local group since GSMOL doesn't need members. It gets automatic funding from the regional network. This will super speed up the process! Turbocharged!

***Finances for Lobbyist.** I estimate the cost of a lobbyist at \$42,000 per year. With 15 participating groups, that's \$2,800 per year per group. If a group has 500 members, that's 23% of \$24 or \$5.60. The balance of the money (\$18.40) stays with the local group.

Finances for an attorney. A group can hire an attorney on its own, or go with an attorney hired by it and other groups. The same figures as above would apply if the attorney were on contract for \$42,000/year.

Who wins? Everyone wins:

- a. Local groups get the funding they need to serve local homeowners. And they have input on future legislation.
- b. Homeowners get a monthly magazine, legal help, training and they have input on legislation.
- c. GSMOL benefits since *The Californian* is free and they automatically receive funds for a lobbyist.
- d. Park associations benefit since they receive funds, from the local group, to carry on their work.
- e. Everyone benefits from a monthly magazine and profit sharing provided by Mobilehome Magazine.

The new reorganization provides checks and balances. It provides uniformity throughout the network. It eliminates territorial issues. It helps struggling groups and rewards those who are successful. It networks all local/regional groups by displaying their magazines online at one website. Every homeowner has the information about his group and other groups around the state.

Making it happen. Just embrace the idea. One group at a time. One homeowner at a time. Others will see the success and start embracing the idea also. Volunteer to form a group in your area if you don't have one.

The GREAT DECEPTION

California Mobile Home Owners - Victims of a 30 Year Conspiracy

The Great Deception is a book about a non-profit organization formed to “promote the general welfare” of the approximately 1.2 million mobile home owners in California.” The Golden State Manufactured-Home Owners League (GSMOL) was formed in 1962 by a small group of mobile home owners in San Jose and grew into a powerful organization of 100,000 members with an annual revenue of \$1.5 million.

Then, about 30 years ago, GSMOL mysteriously began losing members, until today only 7,000 are left and the organization is in debt. This is an enormous catastrophe and effects every homeowner, even if they never heard of GSMOL. The “Great Deception” makes public never before seen information. It is a must read for all mobile home owners.

This book details important, previously hidden information on events between 1987 through the end of 2017. The first few parts are:

Part I. Our Beloved GSMOL; Part II. The Take Over

Part III. Saving GSMOL; Part IV. Speaking Out

The book strives to provide answers to the following questions:

- What precipitated the decline? How could this happen? Who was involved?
- What happened to the \$20 million in member’s dues?
- Why didn’t GSMOL leaders reverse the trend; although, the Community continuously offered suggestions and help?
- Although GSMOL pledged to find a viable means to enforce the Mobilehome Residency Law in 1987 testimony, why are California homeowners still required to hire an attorney and go to court, a method GSMOL has known for 30 years is not viable?
- Why are there no solutions to issues such as: manager abuse, the interference of sales, the distribution of information and the use of park clubhouses, which is still an issue in some parks?
- Was there a conspiracy? What was the goal? Was there a hidden agenda?
- Did GSMOL’s last 30 years hurt or benefit mobile/manufactured homeowners?

Book Details:

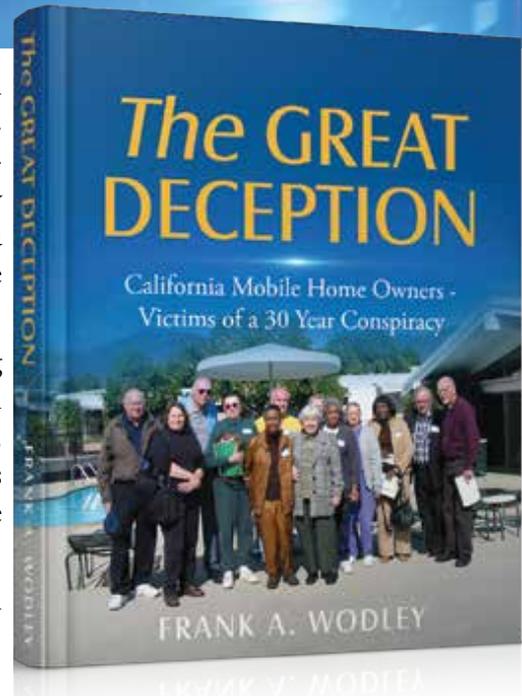
Publication date: April 2019. Self published through Kindle Direct Publishing.

Paperback, approximately 400 pages, 8” x 10”, black and white.

Cost: \$24. Shipping: \$3.60. Sales Tax \$2.40 Total cost: \$30.00

Pre-order. Fill out the order form on the next page and mail to Mobilehome Magazine, P.O. Box 3774, Chatsworth, CA. 91313

Need more information: Call Frank at 818-886-6479, or email him at fawodley@yahoo.com



There is HOPE, but We Must Reorganize! And Now!

by Frank A. Wodley

You, an owner of a mobile or manufactured home, have the right to know what has happened to our beloved, go-to state-wide advocate, the Golden State Manufactured-Home Owners League. It has gone from a strong, viable organization of 100,000 (\$1.5 million revenue per year) to an organization of about 7,000 members, with a debt of \$35,000! Don't think its protecting you today, because it's not. It reaches less than 2% of all mobile/manufactured homeowners. How can anyone call that "protecting?"

What happened? *The Great Deception* is about GSMOL's leadership, and how it failed us. I have evidence that they have lied, cheated, and stolen from us. These are serious accusations. But when all the evidence is evaluated, it becomes even more serious. In fact, GSMOL leaders have perpetrated the "perfect crime" on California's mobilehome community over the last 30 years. By the way, just so I'm clear, I'm not attacking GSMOL, the organization, this is about its leadership which has left GSMOL a skelton of its former self.

Please don't give up hope. There is a path that will get us back on track. In fact, it includes GSMOL (as the lobbyist arm of the reorganization), but it requires every one to do their share. **WE MUST REORGANIZE!**

- a. If you have a local advocacy group in your area, please support it. They ultimately will serve you and your needs. And soon, Mobilehome Magazine will be another revenue source for them.
- b. Your local group, along with others around the state, will fund a lobbyist - through GSMOL if they are willing. GSMOL won't require members because its work will automatically be funded by local groups.
- c. If there is no local group in your area, let's form one. I'll initially help fund it and assist in its formation.
- d. I believe if everyone works together, there are funds to hire an attorney that will assist all of you.

Questions? Please do not hesitate to contact me by email at fawodley@yahoo.com or by phone at 818-886-6479.

Yes, I Want To Order The Great Deception (Book)

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____ I will volunteer to help reorganize and form a local group in my area.

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4/2019

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Oregon Gov. Kate Brown signs nation's first statewide rent control law

<https://www.oregonlive.com/politics/2019/02/oregon-gov-kate-brown-signs-nations-first-statewide-rent-control-law.html>

Updated Feb 28, 2019; Posted Feb 28, 2019 By Elliot Njus | The Oregonian/OregonLive

Oregon Gov. Kate Brown signed into law a first-in-the-nation rent control bill Thursday and called on the Legislature to turn its attention to funding new housing initiatives.

Because of an emergency clause, Senate Bill 608's rent control and eviction protections go into effect immediately. false

Oregon's rent control passage galvanizes activists across U.S.

A coalition of activist organizations said campaigns are underway in five other states and two cities.

"This bill is a critical tool for stabilizing the rental market throughout the state of Oregon," Brown said. "It will provide immediate relief to renters struggling to keep up with the rising rents in a tight rental market.

The law caps annual rent increases to 7 percent plus inflation throughout the state, which amounts to a limit of just over 10 percent this year. Annual increases in the Consumer Price Index, a measure of inflation, for Western states has ranged from just under 1 percent to 3.6 percent over the past five years.

The rent increase restrictions exempt new construction for 15 years, and landlords may raise rent without any cap if renters leave of their own accord. Subsidized rent also is exempt.

The bill also requires most landlords to cite a cause, such as failure to pay rent or other lease violation, when evicting renters after the first year of tenancy.

Some "landlord-based" for-cause evictions are allowed, including the landlord moving in or a major renovation. In those cases, landlords are required to provide 90 days' notice and pay one month's rent to the tenant, though landlords with four or fewer units would be exempt from the payment. false

Their proposal attempts to sidestep longstanding criticism of the polarizing policy, but it's also drawn some misgivings from rent control supporters.

The bill passed quickly through the House and Senate amid a Democratic supermajority and with only perfunctory opposition from landlord groups, who viewed it as a better alternative to removing the state's ban on local rent control policies. The new law keeps the ban in place.

That's also tempered excitement from tenant groups, who say the cap still allows rent increases that could impose a significant financial hardship for renting families.

Brown said lawmakers and the Oregon Housing and Community Services Department should report back on how the bill is working during the 2021 legislative session, including its impact on the rental housing supply.

Meanwhile, she said the Legislature should approve \$400 million in housing-related budget requests for affordable housing development, rental assistance and homelessness prevention.

Words of Wisdom From Utah Senator Karen Mayne

Karen Mayne is a Democratic member of the Utah Senate, representing the 5th District (map) in West Valley City since her appointment in 2008. She spoke at the 2010 National Meeting in Utah. We published a transcript of her speech in the Jan/Feb 2012 Mobilehome Magazine, pages 12-13. Her words resonated then, and we felt this was a good time to share them again (edited).

Good morning. My name is Karen Mayne. When I think about your situation, I think of dirt and home. They own the dirt and you own the home, and that is going to be the battle until it's not the battle.

Cooperation, partnership and respect is the only way that makes it work. We have some big companies that own some of my big communities and it's a battle all the time and we're up for the battle and we know the battle. They are strong, they are big and they have a lot of money, and they have a lot of lawyers, but that's ok. We know what our responsibility is, we know what we have to do.

The issue is who does what. And it's particular to each one of your communities. Usually when they start things up again (organize), they have had one (resident organization) before and you know people get lack, but when there is a problem, up it bubbles. And I wish it wasn't like that. I wish it was always going, always steady, always involved, always active because that shows strength.

I visit with them (park organizers) and we talk about how we can make this committee productive and make it reasonable and make it active. It's always about the same things... And all these things are local. Thomas "Tip" O'Neill—a longtime Speaker of the House in the U.S. Congress—once declared, "All politics is local."

And it is. Everything is local. If it affects me, I'm at the meeting. If it's a problem for me, I'm at the meeting. Hopefully, maybe, that culture can change. Ok, it's my problem today, but I'm at the meeting because it's your problem now. I'm at the meeting today because my problem was solved but I'm here so that I can help you with yours. And I hope that happens with you.

We were just speaking about in some of our communities in the southern part of Utah, where they are buying the dirt and the home (resident ownership). It's all over, once you have that dirt, then you are secure, you are safe and I hope this translates into all parts of the country.

When you live close together, you got to be good neighbors, you have fights, you have problems, you have managers on you and things like that...it is a netted community. Which is a good thing. It makes you work together, which is a good thing.

Always be organized. If they (park owners) can pick you off,

you're dead. If you are organized all the time, they can't do anything to you because you are strong together. If you are together you are strong, if you are divided, you will fail. And that's what I'm telling you. Because collectively you are a mass. Always, always be organized. Always attend those meetings.

The companies where you own the home, they can count. When you have your meetings, if you only have 5 people, they say there are only 5 people, they don't care, they are not involved I won't cut down that tree or whatever. But if you attend the meetings, if you are there, if you are active, if you are responsive, they will be responsive to you. You know what that is. You are on equal ground, you will get more out of them. They have to address mass. You need to be strong, you need to be active, because if you are not, things will fall apart. The demands that you ask for today, that might take a few months, they will say they have lost interest with that,

Another thing that I would suggest, Always elect capable people, always that those people that work. Have you ever gone to a meeting and one guy blows, and you never see him again. Or he comes and they elect him, and then he's gone. That's not who you need. You need stability, every meeting. What can we reasonably do, responsible because you are dealing with really high powered companies and they know what they are doing. So people that are steady, people that are reasonable, people that are there, people who work, people that are respected in the community, that's who you need.

You know there's a song – united we stand, divided we fall. And if that isn't a truism. I don't know what is. And it doesn't matter what it is. It can be a family, it can be a neighborhood, it can be a state or a nation or whatever. Collectively when we come together we are strong.

There are four people, if they can divide you in half, I've won. As long as those four people, there is four and only one of me, as long as those four people stand together, I have to deal with them. But the minute I come in and I put a wedge between them, I win. Don't let that wedge come! Be brave, be determined.

I'm tough, I'm scary, I've learned in life that if you believe in what you do and if you're right in your mind, they respect you. Even if you're wrong. If they respect that you have the courage and the ability to say "I think this is right, they will respect me because people respect strength, they respect courage, they respect bravery.

This is what I leave you with today. Remember this little blond Senator, Grandma, and remember what I've said. Thank you very much. Karen Mayne.





A billion-dollar empire made of mobile homes

By Peter Whoriskey February 14

SMYRNA, Tenn. — It's not fancy. But in the exurbs of Nashville stands part of a billion-dollar real estate empire.

The Florence Commons community consists of about 300 mobile homes of varying vintages, mostly single-wide, many valued at less than \$30,000 apiece, set 20 feet apart from one another. The occupants of some will tell you: The floors buckle. The ceilings crack. The doors don't shut right. Their homes are sinking.

“Okay — it's a trailer park, not a fancy gated community,” said Jessica Boudreaux, 33, who lives there with her two daughters. “If people could, they'd live somewhere else.”

Yet Florence Commons, along with more than 200 other mobile-home parks around the United States, has produced hefty returns for Stockbridge Capital, a \$13 billion private-equity firm, and its major investors.

Their company for mobile-home parks has produced tens of millions for investors in recent years and saw a return on investment of more than 30 percent between late 2016 and the end of 2017, according to documents.

Those ample returns arise in part from their willingness to boost the rents of residents of mobile homes. As one investor's report on the company put it: The “senior management team has a demonstrated track record of increasing home rental rates.”

It has received \$1.3 billion in financing through government-sponsored lender Fannie Mae, which says mobile homes are “inherently affordable.” The money helped them buy existing mobile-home parks.

As large financial firms buy more and more U.S. homes, both conventional and mobile, the question of whether such investments benefit tenants or merely exploit them is a matter of dispute.

[Evictions and code complaints: What happened when a private-equity firm became one city's biggest homeowner]

“They prey on people who can't afford land, people who can't move,” said David Barrett, 62, an excavation equipment operator who lives in Florence Commons. “They're taking advantage of — I wouldn't say poor people — but working people. Where do you think their profits come from?”

Kris Wilkin, a prison guard at the Riverbend Maximum Security institution, lives in a mobile home in a park that is owned by a private-equity fund. (Stacy Kranitz for The Washington Post)

Yes Communities, the investors company that owns Florence Commons, says it is helping to meet the nation's need for affordable housing.

Much of the investors' revenue comes from residents who, while they often own their homes, must pay rent for the home lot. At Florence Commons, rent has risen by 4 percent or more a year, residents said. Most have little choice but to pay up because of a practical reason: They can't move. The dwellings are called “mobile,” but they are costly to transport and sometimes owners are contractually forbidden to move them.

The residents at Florence Commons must pay in other ways, too. Rent checks that are six days late incur a 10 percent fee and a threat of quick eviction. If residents

fail to cut the grass, the park managers threaten them with fees of \$100 or more, residents said. An aggressive towing service has forced some residents to pay \$200 or more to recover their cars.

The median income for families that live in mobile homes is about \$30,000 a year. Adult residents of mobile homes also have lower levels of formal education, according to surveys. About two-thirds of them lack education beyond high school.

“The owners just seem to want to get every dime from us,” Boudreaux said.

Officials with Stockbridge Capital, a firm led by Terry Fancher and Sol Raso, released a statement: “Stockbridge is proud of its association with YES Communities, which has met the affordable housing needs of its residents nationwide for the past 11 years.”

Vanessa Jasinski, vice president of marketing for Yes Communities, said the rents at Florence Commons have risen at 4 percent a year on average over the past six years — slightly higher than the average lot rate in the area last year, according to figures from Datacomp, an industry analyst.

Jasinski also said the rules — and fees — for lawn and parking violations are intended to create pleasant surroundings. No park residents were required to pay for grass-cutting last year, she said. In the past five years, 46 home renters at Florence Commons have purchased homes in the community, she noted.

As for the damage caused by mobile homes settling, she said “it is not uncommon for manufactured homes to settle and experience issues like these. This is true also of site-built homes.”

‘Chained to their booths’

Over the past three years, some of the biggest private-equity firms — the Carlyle Group, Apollo Global Management and TPG Capital — have taken stakes in mobile-home parks, according to a forthcoming report by the nonprofit groups Private Equity Stakeholder Project, MHAAction and Americans for Financial Reform. The mobile-home parks owned by private-equity firms have more than 100,000 home sites, according to the report.

“The firms made these investments seeking to double or triple their money in the space of a few years,” said Jim Baker, director of the Private Equity Stakeholder Project, an organization that has been critical of the

private-equity industry. “That doesn’t lead to affordable housing.”

He said residents of these mobile-home communities are reporting substantial rent increases, aggressive fees for small infractions and escalating evictions.

Critics of large investors’ role in mobile-home parks point to the remarks of Frank Rolfe, an investor who has owned thousands of mobile-home lots. Referring to the steady stream of revenue, he said that a mobile-home park “is like a Waffle House where the customers are chained to their booths.”

In fact, the money that investors can see from mobile-home parks is remarkably steady — and growing fast. Between 2004 and 2018, operating income from such parks rose 87 percent, according to Green Street Advisors, a global real estate research firm. The income never declined, even during the recession, the research firm said.

In the case of Yes Communities, government help supports the investors’ returns.

In August 2016, Fannie Mae, the government sponsored lender, said it was helping finance Yes Communities. It has helped, through two banks, to provide about \$1.3 billion for Yes Communities. Those loans enable Yes Communities to buy up mobile-home parks.

The Yes Communities loan “will preserve affordable housing in communities across the nation,” Fannie Mae said in a news release at the time.

“Providing investors with attractive returns helps YES to invest into new communities and markets and meet the affordable housing needs of both existing and new residents,” Jasinski said.

The terms of the loan to Yes Communities, however, do not limit the rent hikes that face residents. A Fannie Mae spokesman said rent limits are not in their purview.

Go to this address or the full article : https://www.washingtonpost.com/business/economy/a-billion-dollar-empire-made-of-mobile-homes/2019/02/14/ac687342-2b0b-11e9-b2fc-721718903bfc_story.html?noredirect=on&utm_term=.816978be0de2

California Senior Parks by Donna Matthews

It is my belief that the misunderstanding and confusion concerning the Fair Housing Amendments caused the breakdown of 55+ senior parks, the mainstay of California's low and moderate housing. The reason I say this is, I believe if you read the Act (a copy printed here) and consider the standards and conditions requirements of construction for California senior parks they were specifically designated as "housing for older persons".

When the park owner applied for his Conditional Use Permit he decided what type of park he was going to construct, a senior park, a 55+ park or a family park. California laws granted **special construction concessions for senior and 55+ parks**, because of the lower occupancy per unit, fewer parking spaces were required, and less wear and tear on the park required to be provided park facilities, and park utility installations. These special concessions intended for housing of older persons were the terms and conditions under which homeowners contracted to place their home investments in the parks.

Older persons had raised their children and 55 + parks provided important housing opportunities for older persons, as per the Act, (2) (C) (i). Seniors would have access to making friends of their same age, have their own separate living units, the right to the use of all the significant park required to be provided facilities, attend as many social activities as they wished, help one another if there was ever a physical need, and feel safe.

I believe the misunderstanding and confusion was in the intent of the Act's (2) (C) (i i) At least 80 percent of the units are occupied by at least one person 55 years of age or older per unit. When the 20% margin

was established by Congress, it was intended to allow for unique situations such as persons residing in such housing as of the date of enactment, surviving spouses not 55 years old, and inheritance age situations, as long as the total did not exceeded 20% occupancy.

I believe the Act firmly affirmed the park owner's duty to abide by the intent of the standards and conditions in his Condition Use Permit, to have a 55+ park, as long as (i i i) the publication of, and adherence to, policies and procedures which demonstrate and intent to provide housing for persons 55 years of age or older. As per (3) Housing shall not fail to meet the requirements for housing for older persons by reason of:

Provided, that new occupants of such housing meet the age requirements of the Act.

(B) unoccupied units: **Provided**, that such units are reserved for occupancy by persons who meet the age requirements of the Act..

I found that because of the misunderstanding, confusion, and lawsuits, many fair housing complaints were accepted before they were proved valid. Many 55 + parks became all-age parks. Seniors who did not have the finances to move to all senior facilities found they were trapped in all-age parks, where there was overcrowding, parking problems, problems because of the additional strain on the utility installations, higher noise level, and more crime causing

more police calls..

Knowledge is power. This information may not help now, but I believe it should be known, and if it helps even one person it is worth it. Communities may regain lost 55 + status.



Manufactured Homeowner Bill of Rights*

Manufactured-home owners and their families are entitled to enjoy the same constitutional freedoms as all other Americans. Sources: WMA: Western Manufactured Housing Communities Association. NMHOA: National Manufactured Home Owners Association. MRL: Mobilehome Residency Law.



1. Homeowners shall be free to speak, including, but not limited to, the right to distribute informational & educational fliers about the rights of manufactured home owners. (NMHOA & MRL 798.51(a)3). The NO SOLICITATION rule does not apply to park residents or advocacy publications distributed by residents.

2. Homeowners shall be free to assemble (including, but not limited to, the right to organize a home owners' association, the right to peaceably assemble, and the right to hold association meetings at the community's clubhouse to discuss issues of importance to manufactured home owners (NMHOA & MRL 798.51(a)1-2 & 798.15(i)5)

3. Homeowners can expect recognition of their rights to privacy, respect, courtesy and dignity. The goal of management is the contentment, security and peace of mind of residents. (WMA). Managers will treat homeowners with respect and courtesy and in a professional manner. (WMA). This means no shouting, yelling or fighting with residents.

4. Managers will observe residents' rights to privacy (WMA), i.e. they will not come on residents' property, without the appropriate notification, and then only to maintain the driveway, trim trees or read meters. (MRL Sections 798.26 / 798.15(i)7)

5. Management pledges residents shall be free of worry of arbitrary or unlawful termination of tenancy. (WMA). Managers may not threaten residents for any reason, e.g. 'if you don't like it here, then move.' Managers must follow the MRL process when evicting a resident, i.e. there are only 7 legal reasons a resident may be evicted. MRL 798.55-56 & 798.15(i)3.

6. Parks shall establish, in writing, rules and regulations that are reasonable and make them available to all residents. (WMA)/ MRL 798.56(d). Managers will provide residents written documentation, should issues arise, and shall not 'make up new rules or regulations' on the fly. Homeowners are entitled to equal protection under the law, including, but not limited to, the right to the peaceful enjoyment of one's home and the uniform and consistent enforcement of rules and regulations. (NMHOA) MRL 798.25.5

7. Managers shall not threaten retaliation or retaliate against a resident for any reason, including the formation of a Home Owners Association by residents or the filing of a complaint against management. (NMHOA). Representatives of advocate organizations shall have the right to file complaints on behalf of a park resident, if so delegated, by the resident.

8. Homeowners have the right to sue, in small claims court, a manager or park owner who willfully violates any provision of the Mobilehome Residency Law. MRL Section 798.85-86.

*Compiled from the WMA Code of Ethics, the NMHOA Bill of Rights and the California Mobilehome Residency Law by the The Mobilehome Magazine. P.O. Box 3774, Chatsworth CA 91313. 800-929-6061/818-886-6479, fawodley@yahoo.com.

Some Thoughts by Donald DeVore

Donald DeVore was the State Director of the Rocky Mountain Mobile Home Owner's League, and a long time advocate for mobilehome owner rights (perhaps 40 years). Unfortunately, we haven't heard from Donald since 2008, when he was living in an assisted living facility in Texas.

Donald wrote a book "Mobile Home Wars" which is available thru Mobilehome Magazine (\$15 hard copy). Here are a few excerpts:

FORM A HOA

Every community should have a Home Owner Association. This way you can deal with issues pertaining to you and your community. Historically, most community Home Owner Associations disband and become extinct. One reason for this is it seems that the homeowners are more intent on fighting with each other rather than the real opponent, the landlords.

During the 1980s when I was the State Director of the Rocky Mountain Mobile Home Owners League, I had a good relationship and friendship with Ralph Hoppe, the President of the Golden State Mobile Home Owners League (GSMOL) in California. Ralph Hoppe was one of the founders of GSMOL. We spent a lot of hours chatting on the phone and exchanged correspondence. Every time we got some legislation passed into law in Colorado, he was the first to know what we did. His health failed and he retired.

FOCUS ON GOALS & DON'T FIGHT WITH EACH OTHER

A Home Owner Association is only as strong as its support from members. If you are intent on fighting with each other, then God help you. You don't have a dog's chance of changing anything. The Romans had a theory, divide and conquer. Well, it works folks. You have to set up goals and objectives.

Time and again, I listened to homeowners airing complaints against each other, and someone's pet getting their pet pregnant. Then there were those who wanted to take up time in meetings discussing things like their neighbor watering their lawn and the water flowed into their yard. Folks, there are much more important things to worry about and to fight for. You cannot have this trivial squabbling interrupt your focus and goals.

What many homeowners do not realize is this. You have an outside group of people who will help you turn on each other. The Landlords who have their own organizations and lawyers are experts in injecting infighting among homeowners. They are trained and taught how to control

and destroy Home Owner Associations. You see, if you are organized and strong, then you are a threat to them.

The first rule out of the top ten for the Landlords is; they can always find a few Suckers who will take their side and cause disruption in a Home Owner Association. It happens every time without fail. If you are divided and are fighting amongst yourselves, then the Landlords are sitting back with a big smile on their face without a worry.

MONTHLY PUBLICATION

You need to have a monthly publication so that all homeowners can find out what is going in their area, the state, and the State Legislature. It costs money to put a monthly publication.

HOA'S ACT INDEPENDENTLY

I feel that the individual Home Owner Associations should operate in an independent manner. Each community in different parts of the state has different situations to deal with. This way, you don't have a few people at the top of the state organization telling individual organizations what to do, or how to do it. You already have some of the landlords acting like dictators. You don't need anyone in a homeowner organization to be a dictator also. You need a democratic organization and representation.

EDITOR'S NOTE

Donald DeVore was my friend. We made contact in the early 2000's and was a tremendous source of information, especially historical. He was very disappointed that more hadn't been done to help mobilehome owners. I share that feeling.

I agree with Donald's statements above. Every park should have a HOA. It should be independent. Regional and state-wide groups should act as advisors and support local HOA groups. They should not bully and demand that they control.

MH Life Magazine is critical to protecting your rights. All mobilehome owners need honest, useful information. They need to know who they can call to get answers. They need to know what's happening in their local area and around the state. And they shouldn't rely just on what their manager tells them. Manager's are biased, we are not.

Donald wrote a book called Mobilehome Wars. It is the history of mobilehome living plus some solutions to our plight. It is worth reading. You can get a copy by sending \$15 to Mobilehome Magazine, P.O. Box 3774, Chatsworth, CA 91313.

Distribution of Literature in MH Parks - It's Our Right!

Although this may seem like a frivolous issue, believe me "Distribution of Information" is at the very foundation of the tenant's rights (in our case, mobilehome owner rights). Many park owners do not want an exchange of information by residents or advocates. As an example, prior to January 2011 all parks were required to give a copy of the Mobilehome Residency Law (MRL) to all residents. Today, you must ask management for a copy. Did you?

Most park owners want management's voice to prevail. Don't get me wrong, there are some excellent managers who are professional, respectful of residents and know the law. But in my experience, many managers don't know the law, and are poor managers. And often they are new to their job because of frequent turn-over.

WHY THIS ISSUE AT THIS TIME

Postage is a big portion of the total cost (upwards of \$2,000 per issue, that's about 34 cents a magazine) to get the magazine to you. This is impossible and park owners know it.

In order to exist, MHMag is being hand distributed in many parks. To that end, I've personally called many managers of parks in the San Fernando Valley, Simi Valley, Santa Clarita and Canyon Country. My question: "What is your policy regarding distribution of literature in your park." Many answer "I don't know," or "we don't allow solicitation" or "the tubes are for park use only" Some say "sure, in fact we have a residents organization in the park and they distribute information to residents."

NO SOLICITATION -THE PARK OWNER'S STRATEGY TO STOP LEGAL DISTRIBUTION OF INFORMATION

The first thing you see when driving into most if not all mobilehome parks is a sign saying "solicitation prohibited." In criminal law, solicitation most commonly refers to either the act of offering goods or services, or the act of attempting to purchase such goods or services, i.e. it is meant for door to door salesmen coming into the park.

Do you think your park owner is really concerned about someone coming into the park and "soliciting?" Many parks have signs: "Private Property - No Trespassing" Shouldn't that be enough? Many park owners use "no solicitation" to stop the LEGAL distribution of information by advocates and residents. Why? Because they are afraid residents will begin to understand their rights and NOT ACCEPT everything management does

or says.

Of course no one wants someone coming to their door selling something. But residents have a right to receive honest, accurate information about mobilehome issues.

FREEDOM OF SPEECH

Freedom of speech is guaranteed by the first amendment, which prohibits abridging the freedom of speech, infringing on the freedom of the press, or interfering with the right to peaceably assemble. It is also your right as a mobilehome owner renting a space for your home.

In California, your right to "freedom of speech" is guaranteed by a provision in The Mobilehome Residency Law (798.51 (a)3) as follows: (a) No provision contained in any mobilehome park rental agreement, rule, or regulation shall deny or prohibit the right of any homeowner or resident in the park to do any of the following: (3) **Canvass and petition homeowners and residents for noncommercial purposes relating to mobilehome living**, election to public office, or the initiative, referendum, or recall processes, at reasonable hours and in a reasonable manner, **including the distribution or circulation of information.**

OTHER PUBLICATIONS IN MOBILEHOME PARKS

Many parks have a newsletter, either published by a HOA, recreational committee or the like. Many contain advertising. One company's magazine goes into over 400 parks. It contains 35-50% advertising.

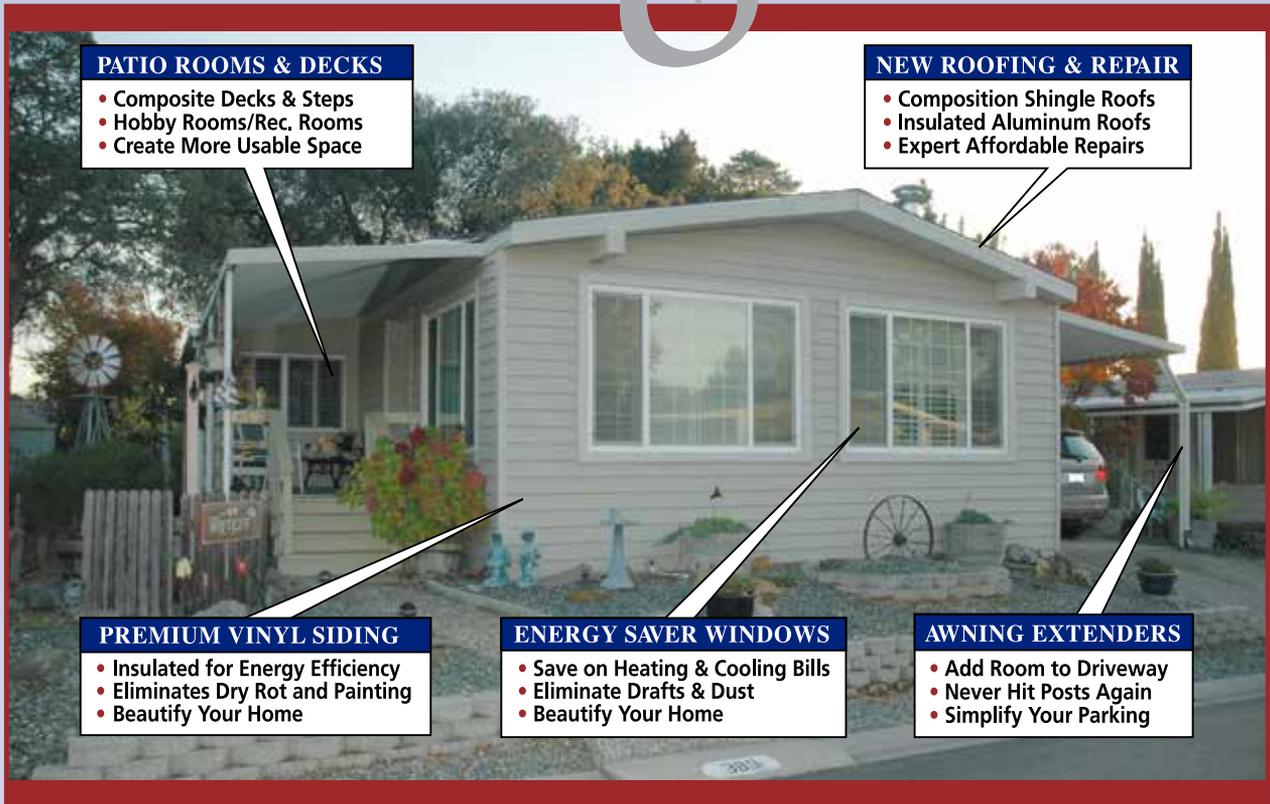
All of these publications are distributed, usually without management interference. Why doesn't management cite "no solicitation" in these cases? It is simple. Few write about residents rights. In fact, many are written by park management and used as the "Park" newsletter. Bottom line: it's not about advertising, it's about CONTENT.

DISTRIBUTION OF MOBILEHOME MAGAZINE

As with its predecessor THE VOICE (2004-2012), MH Life Magazine provides valuable information to owners of mobile/manufactured homes. We are not a SOLICITATION and are really no different from the publications mentioned above. We are not subversive, we do not attack specific owners or parks, but we do try to educate residents about their rights.

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