

*Northern California*  
***Mobilehome***  
***Magazine***

Serving  
Mobilehome Owners in  
Northern California  
**MAY 2019**  
VOLUME 1 NUMBER 3



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## Volunteers Wanted - Receive a \$1500 Reward

We need volunteers to start local/regional groups across California, as part of a reorganization plan. Mobile-home Magazine wants to do its share. We will help volunteers who step up by providing them both expert advice, a free magazine to use as their group's voice and financing to help operate their group and provide funds (\$125/month for one year) to get started. This offer is open to anyone who helps form and run a local group.

**Who qualifies?** Any mobile/manufactured home owner who lives in a portion California not already covered by a local group. That means most areas.

Please be dedicated to serve your friends and neighbors for at least the balance of 2019. Be open minded to receive advice from folks who have many years of experience helping homeowners. Have a printer and know how to use it. Be computer savvy. Have and know how to use the internet. And be a people person. Volunteering can provide you much satisfaction! And know, many, many homeowners need important information and assistance.

### Mobilehome Spaces in Counties in California

#	Name	Spaces	Running Total	Running % of total
1	Los Angeles	48028	48028	13.20%
2	San Diego	38995	87023	23.92%
3	Riverside	34230	121253	33.32%
4	San Bernardino	31482	152735	41.97%
5	Orange	28670	181405	49.85%
6	Santa Clara	15605	197010	54.14%
7	Sacramento	12283	209293	57.52%
8	Kern	10598	219891	60.43%
9	Ventura	10418	230309	63.29%
10	Sonoma	7990	238299	65.49%
11	Santa Cruz	7806	246105	67.63%
12	Fresno	7542	253647	69.71%
13	Santa Barbara	7112	260759	71.66%
14	Stanislaus	6670	267429	73.49%
15	Alameda	6579	274008	75.30%
16	San Luis Obispo	6394	280402	77.06%
17	Contra Costa	6235	286637	78.77%

Today, there are no local groups in four of the top five counties, based on the number of park spaces. Just think what we could accomplish if four groups of three volunteers (12 total volunteers) each came forward to run a group in each county! It would be terrific! They would cover 50% of all homeowners in the state. As their groups grew, they could split to provide even better service.

Remember, the plan benefits everyone. It benefits GSMOL because it provides them funding for their lobbyist. It benefits homeowners because: a) many more can be served, b) they are served by local leaders who are best qualified, c) it gets all everyone working together, d) it provides limited legal help, e) it provides a free monthly magazine so everyone feels connected, and f) resources are effectively and efficiently used, i.e. it eliminates expenses that dilute your membership fee. Call Frank at 818-886-6479 or 800-929-6061 or email him at fawodley@yahoo.com for further information. You won't be sorry!

# Mobilehome Magazine

Serving Mobilehome Owners in Northern California

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## No Group Can Do Everything 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!

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**\*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.

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**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.

# Survey - The Plan - Is This a Step in the Right Direction?

Did you read the article “Let’s Help GSMOL Help Us” in last month’s magazine? If you did, terrific! If you did not, please take a look at pages 4-5. I’ve renamed it “No Group Can Do Everything.” We’d like to hear your opinions on its content. Here are a few questions:

1. Can one statewide group do it all? \_\_\_Yes, \_\_\_No
2. Do you agree that a local group, like OMHA or SMMRA, can best serve the local community? \_\_\_Yes, \_\_\_No
3. Is a membership fee of \$25 reasonable? \_\_\_Yes, \_\_\_No
4. Our plan means you would only have to join one group. Do you like this idea? \_\_\_Yes, \_\_\_No
5. Your regional group would “service” you. It would man a hot line. You would receive a monthly magazine, and limited legal services. Plus you would be represented in Sacramento by a lobbyist.
  - a. Is this more services than you receive today \_\_\_Yes, \_\_\_No,
  - b. Would you join your local group, at least for one year, and give this idea a try? \_\_\_Yes, \_\_\_No
6. The plan automatically funds a lobbyist. GSMOL would not be required to struggle getting members, in fact it wouldn’t need members. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
7. Today, probably less than 1% of homeowners are serviced by a local group. Ultimately there would be a regional group for **all homeowners**. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
8. Every group would automatically be a member of a network, i.e. everyone working together. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
9. Every group would follow a code of conduct, would be transparent, have yearly elections, candidates would be elected not by their popularity, but by their expertise. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
10. The Plan eliminates many expenses for GSMOL. It eliminates the cost of printing *The Californian*, an office and office staff. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
11. A reorganization solves many problems. One significant benefit, it gets everyone working

together. And it puts resources where they will do the most good. Is this a step in the right direction? \_\_\_Yes, \_\_\_No

12. The Plan funds an attorney, one who will be available to write letters on behalf of members. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
13. The Plan means individual parks will have help if they want to form a HOA or homeowners group. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
14. GSMOL can help accelerate this process. They can ask their members to form regional groups. All it takes is three homeowners to step up. Every additional regional group would mean more homeowners would have protection. Would this be a step in the right direction? \_\_\_Yes, \_\_\_No
15. The Plan provides groups additional revenue. *Mobilehome Magazine* has always pledged to share profits with the community. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
16. As a member of your group, you would have a say and you could rate your groups performance - similar to Yelp today. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
17. Friendly competition works. Groups could compete against each other. Awards for best groups. This is an incentive to do well. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
18. Groups would be independent. Leaders would lead without interference. Is this a step in the right direction? \_\_\_Yes, \_\_\_No
19. Advisors will be available to group leaders (those advocates with experience and expertise). Is this a step in the right direction? \_\_\_Yes, \_\_\_No
20. Will you pledge your support for this Plan? \_\_\_Yes, \_\_\_No

We believe a reorganization is critical. We want only the best for you. Please take a few minutes to answer the above questions, then mail the completed Survey to *Mobilehome Magazine*, P.O. Box 3774, Chatsworth, CA 91313. We will share results with the community, GSMOL, and local leaders.

**Thank You for taking the Survey**

## WHO TAKES CARE OF TREES? by Jon Stanley Heim

Many of the legal rights of mobilehome residents are established in the Mobilehome Residency Law (“MRL”), California Civil Code sections 798 through 799.11. These statutes must be attached to residents’ rental agreements. (Cal. Civ. Code, sec. 798.15, subd. (c).) The MRL recognizes the unique investment which mobilehome residents make in their dwellings, an investment that distinguishes mobilehome residency from ordinary tenancies such as apartment rentals. The MRL protects mobilehome residents against certain abuses, sharp practices and add-on fees by owners and managers of mobilehome parks.

Every mobilehome resident should have a copy of the MRL and at least a general understanding of mobilehome owners’ rights under it. In this article and future ones, I shall endeavor to explain key provisions of and rights under the MRL and other laws affecting mobilehome residents. Of necessity my explanations and opinions in this space can only be general. Mobilehome residents who are aggrieved by actions of park management or who find themselves in significant disputes with management should seek advice on their particular situations from counsel familiar with the MRL and other relevant laws.

One common legal issue in mobilehome residency concerns trees. Who is supposed to take care of trees, and when? The MRL addresses this issue directly. California Civil Code section 798.37.5, subdivision (a), which is part of the MRL, provides that, “[w]ith respect to trees on rental spaces in a mobilehome park, park management shall be solely responsible for the trimming, pruning, or removal of any tree, and the costs thereof, upon written notice by a homeowner or a determination by park management that the tree poses a specific hazard or health and safety violation.” If the homeowner and management disagree whether a tree poses such a hazard or violation, either party may request an inspection of the site and a resolution of the issue by Department of Housing and Community Development (“DHCD”) or a local agency that enforces mobilehome laws. Under California Civil Code section 798.37.5, subdivision (b), also part of the MRL, park management is responsible too for “the trimming, pruning, or removal of any tree [in a common area of the park], and the costs thereof[,]” whether or not the common area tree poses a hazard or health and safety violation. Management must also repair “root damage to driveways and foundation systems....” (Cal. Civ. Code, sec. 798.37.5, subd. (c).) Mobilehome residents are forbidden from planting trees in the park “without first obtaining written permission from the management.” (Cal. Code Civ. Proc., sec. 798.37.5, subd. (d). All current rules and regulations of mobilehome parks must comply with the foregoing statutes (Cal. Code Civ. Proc., sec. 798.37.5, subd. (g)), so they cannot be waived or diluted by any rental agreement or park rule.

Thus under the MRL any mobilehome resident who believes that a tree on his or her rental space is hazardous or presents a health and safety violation must give notice of the hazard or violation to park management, in writing. If management disagrees or does not respond, the mobilehome resident should request an inspection and determination by either DHCD or a responsible local agency. Very few tree maintenance disputes will not be resolved by these processes. However if the state or local agency agrees that the tree is hazardous and management still refuses to trim, prune or remove the tree, the mobilehome resident can file suit under the MRL for injunction, compensatory and punitive damages, attorney fees, and an additional \$2,000 for each willful violation of the MRL by management. (Cal. Civ. Code, secs. 798.84-798.87.)

So now you know: trees in mobilehome parks are the responsibility of park management, and government agencies and courts will make sure that management fulfills its responsibilities for trees. Under this law no mobilehome resident should suffer a hazardous tree or any expense for making it safe.

*Editor’s Note: This article was first published in THE VOICE March/April 2009. It was written by attorney Jon Stanley Heim. Mr. Heim is no longer with COMO-CAL; however his advice remains timely.*

# Why You Lost The Capital Region Magazine by Frank Wodley

Homeowners in Sacramento are fortunate. You have a local group, The Sacramento Area Coalition (SAC), looking out for your interests. Unfortunately, they shut down the March Capital Region Mobilehome Magazine and all future magazines. How could that be? What was their reasoning? The magazine was their voice, a voice that reached 3,000 mobile/manufactured homes in the greater Sacramento area. And I know homeowners appreciated the magazine. Even GSMOL's ex-president Michelle Smith said the magazine really benefited homeowners. Surely, the loss of the Capital magazine doesn't benefit you or the SAC group.

The magazine was shut down **because of a misunderstanding**, simple as that. As you may know, Sacramento is pro-GSMOL. And the Sacramento Area Coalition is run by pro-GSMOL leaders. The ex-GSMOL president, Michelle Smith, has spoken there and lives in the Sacramento area.

So why did they decide to shut down the magazine? The answer is simple. I've written a book about GSMOL titled *The Great Deception*. The title sounds ominous and it is easy to think perhaps the book does not put GSMOL into a favorable light. And there is a rumor that I've been anti-GSMOL for many years.

Actually, that rumor is **absolutely incorrect** and anyone that reads the *The Great Deception* will understand. Here is a portion of text from Chapter 11 of *The Great Deception*. It is an email I wrote to a fellow GSMOL manager way back in 2004 and it will help you understand my position on GSMOL:

*Patricia: Thank you for your comments and observations. My first year here (as an associate manager for GSMOL) was spent just as you are spending yours - membership and taking care of business in our chapters. Patricia, I have lots of ideas (to help GSMOL improve), but the powers are not receptive to our ideas and suggestions. GSMOL must be changed back to an organization run by the members, for the members. And the number one priority should again be the 750,000 mobile home owners in the State of California.*

*We need a leadership open to us. Communication from them to us and vice versa. We need to know what's happening. We need to know their plans and their problems. They need to respect us! GSMOL has a great volunteer network and lots of talent in its membership. GSMOL doesn't use this great asset. Patricia, I'd love to hear your ideas. You are active and care! And you and I are not alone.*

So let me put it another way. In 2004, I volunteered to be an associate manager representing GSMOL in the San Fernando Valley. I took my responsibility very seriously. I believed GSMOL was the one organization that could best help homeowners. That's why they were invited to my park in Chatsworth, to help resolve a serious manager problem.

Because I now represented GSMOL, I began studying its history and leadership. I discovered a lawsuit against GSMOL by a board member, Zone D V.P. George Smith. His lawsuit exposed a "take-over" of the board by "anti-GSMOL" folks. The take-over resulted in huge membership loses, from 92,000 in 1990 to 33,000 in 1999.

I concluded GSMOL was in serious trouble and could soon shut down. I never wanted that to happen! Ultimately, I wanted to save GSMOL from its own leadership (I call them the "bad apples") and that has been my goal ever since.

The truth be known, I've fought hard to save GSMOL these last 15 years. How? By fighting against the "bad apple" board members whose actions and policies were destroying GSMOL. I've never spoken against GSMOL, the organization, ever. To counter my efforts and try to silence me, the "bad apples" spread rumors that I wanted to destroy GSMOL and many believed them. But the "bad apples" are the ones who:

- Never stopped the decline of GSMOL membership. Actually, they wanted GSMOL to decline. Read the book and you'll understand why.
- Had full control over *The Californian*, the membership roles, and the assets, including bank accounts.
- Embezzled or stole from the organization. In 2012, GSMOL had assets of over \$1.2 million including

\$400,000 in legal funds and a building worth \$775,000. Few, if any GSMOL members ever benefited from their donations to legal funds. I believe GSMOL funds totalling in the millions of dollars have been “lost” since the early 1990s.

- Today, GSMOL is over \$20,000 in debt. No legal funds remain and GSMOL has few assets.
- Allowed a park owner to essentially run GSMOL for six years. It wasn't until I exposed him with a three page article that he resigned.

These last three months, I've only been able to deliver magazines to clubhouses, hardly an effective way to provide you the information you need.

*The Great Deception.* We live in a country of freedoms. I strongly believe you have a right to know what the “bad apples” have done to GSMOL and why. That's why I wrote the book. It is not anti-GSMOL. It does show the many ways over the years I've fought to keep GSMOL strong.

**Why would pro-GSMOL folks be against the book?** Of course, they are protective of GSMOL. They want to build it up after years of set-backs. That's a good thing. I would guess they are afraid when the community reads about GSMOL's decline, they will not join. But not to worry. The Plan provides automatic funding to keep GSMOL active in Sacramento.

**We can't undo the past.** What is done is done. We can't undo the past. I'm disappointed that, inspite of all my efforts, GSMOL is a skeleton of its once proud, effective self. I also believe that GSMOL, Mobilehome Magazine, and regional groups can all work together, in harmony, to provide homeowners the services they deserve.

**The Plan.** I believe the Plan outlines the best possible way to serve you. It automatically funds GSMOL's lobbyist in Sacramento. That means GSMOL doesn't have to spend time and resources getting members. That will be the responsibility of regional groups. Let the Sacramento Area Coalition shoulder the task of getting members and serving mobile/manufactured home owners in the greater Sacramento area.

Let's work hard to establish local groups, like SAC, in all areas of California. Let them do the work to keep track of members, establish a hot line, and put out a magazine (supplied free by Mobilehome Magazine). I believe they will even be able provide limited legal assistance to members.

**Everyone wins.** Very, very few homeowners across California have a local/regional group. In fact, I can count only 10-12 groups in the whole state, serving perhaps 1% of all homeowners. I'd say we can do better. The Plan provides the means to have local/regional groups in all areas of California.

So, what if you embrace The Plan in your area, what would it mean to you? It would mean you'd only join your local group, at a cost of \$25. Your group would serve you and provide a monthly magazine, a hot line, limited legal help, advice, etc. In fact, all groups in the network would follow a unified plan - be transparent, have a code of conduct, etc. All groups would contribute funds to hire a lobbyist to represent all of us in Sacramento, and an attorney, to be used to write letters for members and consult.

The Plan puts resources where they are needed, i.e. locally. And you are served by leaders who are best equipped to handle local issues. Remember the saying “strength in numbers.” I'd guess local groups would soon be growing. After all, more and better services, with less waste, mean more homeowners will want to join. This means a stronger organization.

**A word about revenue.** *The Capital Region Mobilehome Magazine* is not the only magazine you receive, but I'd like it to be. Some of you receive a magazine devoted to happenings in your park. If there is enough interest, Mobilehome Magazine can begin printing those magazines. But why would you support a change? Because we offer you a share of our profits. No one else does. And I don't mean 10% or 20%. I mean something over 70%, and it's negotiable. Profits can be considerable. Up to \$10,000 per month! I want you to have that revenue to help protect yourselves. But only you can make it happen. Let me know if you'd like me to print your park magazine. If there is enough interest, I'm sure I can make it happen! Call me at 818-886-6479 or email me at fawodley@yahoo.com.



## Determination and Perseverance

Determination and perseverance are two extremely important qualities when dealing with issues in mobilehome parks. Few advocates last long enough to make much difference. COMO-CAL is unlike any other advocacy group. Why? Because we have had the determination and perseverance to help MH owners without getting much support in return.

Today is a new day. We feel once residents realize what we can do, they will be more supportive. And why not. If we can help resolve such problems as no viable means to enforce the Mobilehome Residency Law, management problems, and interference of sales, we'd say that was terrific progress, wouldn't you?

We understand problem solving is a process. Unfortunately, most problems require more effort, determination and perseverance than residents are willing to give. We've found residents call us with an issue, hoping we can resolve it with a phone call. And parks take advantage of this. They know when the put one or two barriers up (you can't use the clubhouse, you can't use the tubes for information, etc.), residents will give up.

So we suggest, let us be your determination and perseverance. We won't give up. We will work hard until you can use your clubhouse, until you can use your tubes, etc.

### QUOTES ON DETERMINATION

*A dream doesn't become reality through magic; it takes sweat, determination and hard work.* **Colin Powell**

*America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand.* **Harry S Truman**

*If you set goals and go after them with all the determination you can muster, your gifts will take you places that will amaze*

*you.* **Les Brown**

*Let us not be content to wait and see what will happen, but give us the determination to make the right things happen.* **Horace Mann**

*Do not underestimate the determination of a quiet man.* **Iain Duncan Smith**

*Determination gives you the resolve to keep going in spite of the roadblocks that lay before you.* **Denis Waitley**

*Nothing is impossible in this world. Firm determination, it is said, can move heaven and earth. Things appear far beyond one's power, because one cannot set his heart on any arduous project due to want of strong will.* **Yamamoto Tsunetomo**

*I think the key is basically just your determination. As far as an artist is concerned, it's just about your drive and your dream.* **Chris Brown**

*Determination gets you a long way.* **Chelsea Clinton**

*Happiness is an attitude of mind, born of the simple determination to be happy under all outward circumstances.* **J. Donald Walters**

### QUOTES ON PERSEVERANCE

*Perseverance is failing 19 times and succeeding the 20th.*

**Julie Andrews**

*Perseverance is not a long race; it is many short races one after the other.* **Walter Elliot**

*Great works are performed not by strength but by perseverance.* **Samuel Johnson**

*By perseverance the snail reached the ark.* **Charles Spurgeon**

*A dog teaches a boy fidelity, perseverance, and to turn around three times before lying down.* **Robert Benchley**

*Perseverance is the hard work you do after you get tired of doing the hard work you already did.* **Newt Gingrich**



# Retaliation and How To Overcome it

EditorsNote: *This article is taken from the “Community Organizing Manual” produced by All Parks Alliance for Change in Minnesota, MN. The entire manual will soon be available online for download at: <http://www.allpark-sallianceforchange.org/> We recommend anyone truly interested in organizing and helping mobilehome owners get a copy. It is a terrific guide!*

Retaliation is a strategy used by powerful institutions to prevent homeowners from organizing and/or asserting their rights. It is a two-pronged strategy involving both active and assumed retaliation. “Active retaliation” is carried out in the form of specific actions that punish leaders and their base for their efforts to pursue change.

An effective and far more insidious form of retaliation is “assumed retaliation,” meaning that people automatically assume that organizing or asserting ones rights will lead to retaliation, even in the absence of specific past examples. Assumed retaliation operates so that powerful institutions rarely have to use active retaliation. The very existence of assumed retaliation prevents people from organizing and standing up for their rights due to a perceived sense of powerlessness and internalized fears.

## RETALIATION IS REAL

Park landlords have a variety of tools at their disposal to carry out other forms of retaliation, such as eviction, rent increases, denial of services, discriminatory enforcement of park rules, harassment, and damage to reputation.

## RETALIATION IS AN EXCUSE FOR PEOPLE NOT TO GET INVOLVED

The assumption that getting involved will lead to retaliation prevents many people from getting involved. Yet for every example of real retaliation there are many, many more examples where residents organize and retaliation is either not used or

ineffective. We need to be more sympathetic towards people who fear retaliation out of a feeling of powerlessness or vulnerability, but we also want to challenge their assumptions and embolden them to become leaders rather than victims. If you are involved in organizing your community for Mobile Justice, then

you are taking a risk. You need to let people know that if they want to see change, then they have to assume some of the risk as well.

## WHY DOES RETALIATION EXIST

Retaliation is a tool that park landlords, government agencies and others use to maintain control and to retain power. Many see retaliation as an act of power, but it really isn't. Retaliation would not be necessary if community organizing had

no potential for success. Retaliation happens because institutional power fears this success. Therefore retaliation is not a demonstration of power, but rather an act of fear and powerlessness. They are scared of you!

Although retaliation comes from a place of powerlessness, it is also a strategy that has proven to be successful. Retaliation works. That is why is it so important that we understand how to confront it.

## HOW TO OVERCOME RETALIATION

Many states already have laws that make retaliation illegal. When looking at the laws in your state, pay close attention to how those laws are enforced and what loopholes, if any, may exist.

## EDUCATE RESIDENTS ABOUT THEIR RIGHTS

Once you have done the analysis, educate your base about these rights and your commitment to ensure they are protected. This will often decrease a lot of people's fear about retaliation. If No Protections Exist, Change the Law



## **CONDUCT A RISK ASSESSMENT FOR YOUR ORGANIZING CAMPAIGN**

People worry a lot about the risks of becoming involved but rarely think of the risks of not becoming involved. In a group setting, ask people to come up with a list of the risks of getting involved, after educating them about the law! Then ask them to come up with a list of what will happen if no one gets involved (park closings, rent increases, unfair rules, bad laws, etc.). If you are choosing issues that people care about, the risks of doing nothing are often greater than the risks of doing something.

### **STRENGTH IN NUMBERS**

By acting as a group, it is more difficult for institutions to retaliate against you. The old saying, “united we stand, divided we fall,” holds true when it comes to retaliation. The stronger the base, the broader the network of support will be in response to any real retaliation.

### **BE PUBLIC**

Retaliators are like cockroaches; they scatter and run when you turn on the lights. The more outspoken and public you are in your work, the less isolated you are and the more people will sympathize with your

cause. It also creates an opportunity to hold institutions accountable on a higher level for retaliation, compared with fighting it out in the darkness.

### **ACT PROFESSIONALLY**

Don't provide park landlords with easy excuses to retaliate against you by not paying rent or disobeying reasonable park rules. Make sure that you are credible in what you do and say, thus maintaining the moral high ground. People sympathize with community leaders, but not with public nuisances. Whenever possible, try to appeal to your target's self-interest rather than demonizing them right off the bat. Angering a target should be a deliberate and strategic decision, not an accident. Remember there is nothing wrong with making someone angry as long as it is strategic. But recognize that with that anger comes a heightened risk of retaliation.

### **RESPOND TO ACTS OF RETALIATION AGGRESSIVELY**

Acts of retaliation have the potential to obliterate your campaign. People will look to your organization to see what your response will be, as they weigh their decision to stay involved. Now is the time to be vocal and aggressive like never before. Put a stop to retaliation now!

## **Tips & Suggestions**

- Put everything in writing to management.
- Do not sign long term rental agreements or leases. Anything over 12 months voids rent control.
- Know the Mobilehome Residency Law. It has taken years to legislate these laws and they were written to protect you.
- 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.
- Maintain your property. This helps keep the value of your mobilehome, and motivates your neighbours to also maintain their properties.
- Know that you rent is late the 5th day after 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 little or no defence!
- 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.
- Organize. There is Strength in Numbers.
- Believe there is hope to combat some of the injustices we see daily in our parks.
- Relax and know you are not alone. Call us anytime at 818-886-6479. We are happy to help.

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

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

## HOW TO CHECK ON THE TITLE

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

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

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

## REGISTERED OWNER VERSUS LEGAL OWNER

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

The registered owner and the legal owner may be different for a variety of reasons, but a common one is that one person bought the home for another to live in it. This can occur when say a parent buys a home for a son or daughter, or a son or daughter buys the home for a parent. When the buyer, working with the seller, transferred title to the buyer, the buyer specified the occupant (to be) as the registered owner but themselves as the legal owner. The registered owner then will appear on the HCD paperwork as the owner and will be sent the annual registration notice (or tax notice) and to the park manager will be the owner. The legal owner, however, owns the asset. The advantage of this arrangement is that the person living in the home is not viewed as one subletting the home, allowing the buyer and the occupant to get around the state laws against subletting a mobilehome (MRL 798.23.5)

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

## HOW TO TRANSFER THE TITLE OF A MOBILEHOME

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

- o (Need) Title. Fill out the back of this.
  - The Certificate of Title is tan in color, is an 8½ x 12 sheet of paper, and is from the Department of Housing and Community Development (HCD) of California.
  - If the title is lost or simply a duplicate title is needed, use Form 480.4 to get a new copy – there will be a fee to get a duplicate.

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

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

Then one of these two items are needed, either the Registration Card or a Tax Clearance Certificate. To tell which are needed, get the alpha-number off the decal on the outside of the mobilehome. Does the decal alpha-number starts with the letter ‘L’? If YES, then the seller needs to obtain a Tax Clearance Certificate from HCD to transfer title to someone else. It shows that all the taxes have been paid on the home. If the decal alpha-number starts with an ‘A’, then a the seller must provide a copy of the Registration Card to show that registration has been paid.

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

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

# Help Get the Calital Region Mobilehome Magazine Back in Sacramento

We only want the best for homeowners. Help us get past this misunderstanding. We're sure you'd love to get the Capital Region Mobilehome Magazine delivered to your door again. Delivery depends on your local group - The Sacramento Area Coalition. Please contact them and ask them to reverse their decision not to distribute the magazine. The official website of The Sacramento Area Coalition of Mobilehome-owner Associations, Inc. is [www.SacAreaCoalition@gmail.com](mailto:www.SacAreaCoalition@gmail.com). Phone number: (916) 500-1485

If you'd like to get the Capital Region Mobilehome Magazine back in your park, please call Frank at 818-886-6479/1-800-929-6061, or email Frank at [fawodley@yahoo.com](mailto:fawodley@yahoo.com).

Mobilehome Magazine has some funds to pay volunteers to distribute magazines. Please step up!



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

### SOURCE OF THE ABOVE:

Scott Hoaby talked with representatives of HCD on multiple occasions in 2015 to get a clear understanding of what needs to take place to properly transfer the title. The above pieces of information are what HCD

has told him. The people listed below are the people Scott has talked with at one time or another.

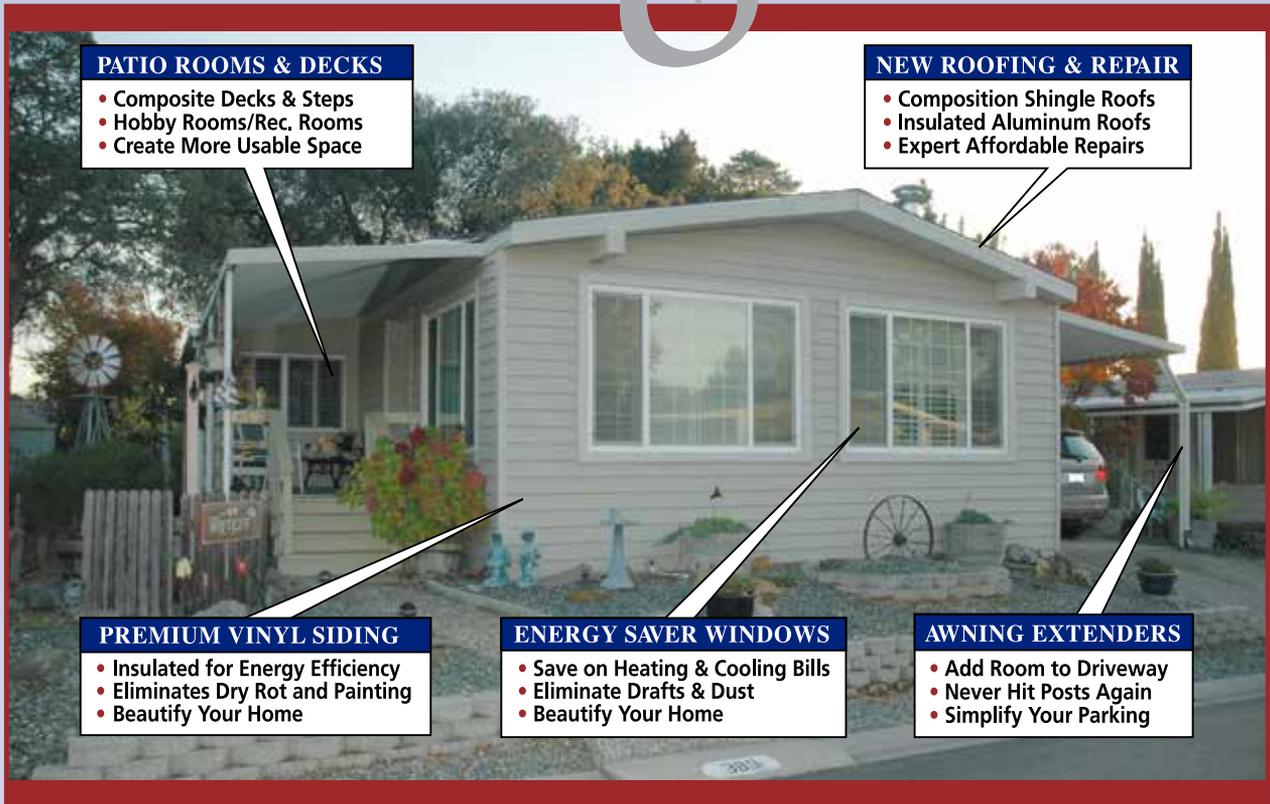
HCD Contacts for Titles and Registration

- o Riverside (951) 782-4431
- o Santa Ana (714) 558-4974
- o Sacramento (916) 255-2532
- o San Luis Obispo (805) 549-3373

Go to [www.hcd.ca.gov](http://www.hcd.ca.gov). In the search box, type "Forms" and hit enter. On the ensuing page, click on the link "HCD Forms," probably the top entry. The page that comes up are all the forms that HCD has.(or try <http://www.hcd.ca.gov/forms.html>)

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# GOODIE & SONS



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