



# THE VOICE

COALITION OF MOBILEHOME OWNERS

APRIL 2006

VOLUME 2

ISSUE 4

## WILL RENT CONTROL BE ABOLISHED IN CALIFORNIA?

It has been just 10 short years since rent control was challenged by Proposition 199. In 1996 Proposition 199 was the rally cry for mobilehome owners to organize and fight. Today the monster has raised its ugly head again. This time it is called "The California Property Owners Protection Act."

On Friday February 24th a CoMO-LAC member emailed us: "I just got off the phone with the President of Millenium Group. As you probably know, they convert parks under non-profit charity status. He said that Ca. Senator Tom McClintock is going to start gathering signatures in the state to put an Initiative on the ballot to amend the Ca. Constitution in light of the U.S. Supreme Court decision in "Eminent Domain". Included in his initiative will be outlawing rent control as a "regulatory taking".

We immediately posted our finding on Mobilehome Owners Forum (MHOF). Many advocates for our rights use this forum, among others most of the GSMOL board, ACMO group, and CoMO-LAC. On March 2nd we phoned the office of Senator McClintock learning that the initiative would be out by March 10th.

Then on March 7th our member Cindy Morel of Carson phoned me with additional information. We now have a good idea what's happening.

### WHAT'S HAPPENING

Senator Tom McClintock of Simi Valley, Jon Coupel, President of the Howard Jarvis Taxpayers Association and Chris Norby of the Orange County Board of Supervisors have submitted a proposed initiative to the Attorney General called "The California Property Owners Protection Act." It

would amend the California Constitution to prohibit government from taking private property and transferring it from one private owner to another private owner. If the act were to become law, rent control through the state would be abolished.

As of this printing, a Title and Summary is being prepared by the Attorney General of the State of California. This document is required before signatures can be gathered, and if successful this ACT goes to the voters of the State of California in the November 2006 election.

In fact the California Property Owners Protection Act is just one piece of proposed legislation that may abolish rent control in California. CoMO-LAC will remain villegant and issue updates as they happen.

### LET'S UNITE

The time is long past to take this and other issues seriously. What will it take for mobilehome owners across the state to organize? If not now, with this serious challenge to rent control, then when?

The proponents of the "ACT" are calling for unity among landowners, asking for volunteers and money. Mobilehome owners must not wait any longer. We must step up our efforts to gain members in CoMO-LAC, and take this threat seriously. CoMO-LAC now has a history. You can see what we're all about. We bring you the truth and we are determined to make a difference. It's time to send in your donations, volunteer your time, and tell your friends in mobile home parks they should do the same. The clock is ticking. November is a short time off. We don't have much time!!!

**LET'S DO IT! FOR THE GOOD OF ALL.**

## MANAGER DO'S AND DON'TS

Don't kid yourself, you and I live on the front lines of a WAR. It may not be fought with guns, tanks, aircraft, or bombs, but it is real none the less. We have compiled a list of do's and don'ts we feel some managers and owners follow. As a consequence of their actions, we are not organized, we are intimidated and afraid. Some of our neighbors spy on us. We are given misleading and false information —like you can't sell your home because it is older. This is an injustice to all of us! And it costs us all.

Why? Because of GREED! These parks do not want anyone to challenge their "business." We feel much of the time it is "monkey business!"

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### MANAGEMENT STRATEGY IN YOUR PARK

**Don't** let residents communicate, keep them in the dark. Don't have "park mail tubes, or if you do tell residents the tubes are for "park" use only, not for residents to use. They certainly are not to be used for literature questioning or being negative about the park or management, or telling residents about their rights as mobilehome owners.

**Don't** let residents get organized because they might learn the truth and might challenge us. Don't make the clubhouse readily available; otherwise residents can use it for meetings. If they have meetings, be sure to send a "toadie" to spy and report back to management. If possible, create a "scene" and hope the leaders react with anger—this will turn off residents and usually ends this type of gathering.

**Don't** let residents belong to advocacy organizations. Tell them "That organization hasn't done anything for residents. Why waste your money on GSMOL or CoMO-LAC? They are just troublemakers! Tell residents you're their friend...."

**Do challenge** the leaders of advocacy groups. Do not ignore resident leaders. Deal with them. If necessary, make up situations and take them to court to evict them. Defame their character. Tell new residents not to associate with them. Harass them.

**Do** divide and conquer when residents organize. Send residents who are pro-management to their meetings to spy. Try to disrupt meetings. **See Do's / Page 3**

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CoMO-LAC, 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.

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**Do** have them report back to management on resident meetings.

**Do** use your “pro-management residents (toadies).” Have them write letters saying what a terrific park it is, what a terrific job management is doing, and how terrific the owner is.

**Do** ad lib when you have to. Cite the MRL as much as possible to make it appear as if you are just following the law. But leave out sections that do not support our goals.

**Do** threaten residents. Tell them their “senior” park will be converted into an all age park if they don't cooperate with management. Tell them you will evict them...

**Do** send a threatening letter from the park attorney indicating that if they don't comply with a Rule or Regulation, we WILL give them a 60 day notice to evict them. And it will cost them thousands of dollars.

**Do** cajole residents into believing management is their best friend

**Do** give money for a Christmas Party, 4th of July BBQ, and St. Pat's Day celebration

**Do** have parties for the kiddies

**Do** keep up the park landscaping—it is not expensive

**Do** have a strategy to defend an “attack” by residents. Say this is only a small group of residents and they don't represent the majority in the park. Say most residents are very happy living in the park. Again use your “toadies” for support.

**Do** say this about residents who complain: They are “troublemakers”. They are the ones who violate the rules. They are poor neighbors. They have character flaws. Don't associate with them.

**Don't** reply to residents letters. Resident's letters about problems, letters trying to rebut a 7 day notice, etc. If you give someone a notice and they reply, just ignore it.

**Do** harass residents.

**Do** use the “e” word (eviction): “If you don't stop..., I'll evict you.”

**Do** keep residents in line with a 7 day notice and a threatening 60 day notice.

**Do** use the MRL to your advantage. Underline the section that applies and let the resident read it. Misquote the MRL, leaving out sections adverse to our goals

**Do** upgrade the park. Get those older mobilehomes out. We will reap the benefits!

**Do** use the park attorney when necessary.

This war is a psychological war, perhaps far worse than a real war. And there are unseen casualties, people are getting sick, and probably even dying as a consequence. It is difficult to see. One must know what to look for and be observant. It is resident versus park owner and manager. What drives this war? Money and greed. **THIS NEEDS TO STOP!**

SEND US ADDITIONAL DO'S & DON'TS THAT YOU EXPERIENCE IN YOUR PARK

## WE'RE DOING IT. WE'RE GOING STATEWIDE

We are MAKING A DIFFERENCE. But we can DO MORE. By a vote of 70:1 you voted to go state-wide as CoMO-CAL. Some ballots were not counted because they came after March 1st, but they all were yes votes also. The paperwork is going to the Secretary of State in Sacramento and it should be official by April 1st. One person, or one Board of Directors CAN'T DO IT ALONE. We were formed as an organization for our members, by our members. We need your help. Both in the San Fernando Valley and around the state. We are getting members in lots of different areas. Please help us!

### WE NEED YOUR HELP

#### 1. IF YOU LIVE CLOSE TO CHATSWORTH, PLEASE VOLUNTEER:

**One member** to coordinate the newsletter folding, labeling and mailing. I will still print it. With the new printer it still takes 8—10 hours. This member will pick-up the newsletters and coordinate a group to help get them ready to mail. This usually happens 2-4 days before the middle of the month. The work involved in probably only 3-4 hours one day for the group.

**One member** to help in the office keeping track of members. Data entry into Microsoft Excel. It's not hard, just time consuming.

#### 2. IF YOU HAVE A COMPUTER AND E-MAIL, PLEASE VOLUNTEER — YOU CAN LIVE ANYWHERE:

**One member** to call those who have not renewed. For instance it is mid-March today, we need to call those who joined in January and February 2005. I know several have moved, perhaps others have decided we are not the group for them. In any case we need to be responsible and call them to double check what's happening.

**One member** who will be our liason between active members and CoMO-LAC. Prepare a list of names and phone numbers. Let's keep in touch with these people. I know there are upwards of 50 around the state who are active. We need to maintain contact with them.

**Several members** who are good at writing letters. We need to contact our government officials for a variety of reasons.

**Two or three members** who are a good speakers and would like to lead recruitment meetings in other areas around Los Angeles.

**COMMITTEES:** It's time to organize CoMO-LAC members. Members willing to brainstorm an issue. Form a committee and make recommendations. If you have an issue you would like to work on, let me know. We can ask for committee members in THE VOICE. I'd like to see committees on the following:

#### MEMBERSHIP—RECRUITMENT-LEGAL-PUBLIC RELATIONS-WEBSITE

#### 3. IF YOU LIVE OUTSIDE LOS ANGELES, PLEASE VOLUNTEER

**One or two members** for each area. You can begin making a difference.

See **DOING IT / Page 5**

**DOING IT / Continued from Page 4.** If you will work with us, we can furnish you a printer and you can print the newsletter for your area. Please have a computer. It doesn't take that much time. Members now can get THE VOICE online at <http://www.comocal.org>. In fact ALL members can get ALL issues of THE VOICE in the "members only section" of the new website.

If you live outside Los Angeles, you may be the only CoMO-LAC member in your park. HELP US. If you have an HOA or GSMOL chapter, let us know so we can contact the leaders. We are making THE VOICE available to every mobilehome owner in the state. Everyone should be informed.

We need members to pass out flyers in their parks. We will soon begin a campaign of flyers against illegal moving of older homes. Residents are losing thousands of dollars. We must stop this practice.

### **WE NEED YOUR DONATIONS**

#### **LEGAL FUND**

We need money, especially for legal services. We need the support and services of an attorney if and when we begin challenging the actions of managers and owners. Unfortunately this does not come cheap. But we have RIGHT on our side. And remember, **DIG DEEP**. Rent Increases can be as much as 50% - that means perhaps \$250.00-\$300.00/month! If you consult with an attorney, you'll usually have to pay \$200. or more. Don't be like Blue Star and wait. Beginning April 1, 2006 they begin paying the \$129.00 per month rent increase.

We need you to trust us. Our books are available to any member who wants to see where the money is going. We have several thousand dollars in our account today, but not enough for any legal action.

#### **FLYERS FUND**

Although it is time consuming, we are willing to print and mail flyers into "virgin" areas. The cost per flyer is about \$.33 each, so we can mail three flyers for a dollar. We would like to send out one thousand a month or more—costing about \$333.00 a month. Previous flyer campaigns have paid off and we have picked up enough members to recoup 70% of our costs. We figure if we have a 4% success rate, the flyer program pays for itself. Help us get the word around, please donate to the flyer fund.

### **DONATE A LITTLE NOW, OR PAY A LOT LATER. IT IS YOUR CHOICE**

#### **A PLEA FROM THE PRESIDENT**

I guarantee your donations will be used to help all of us, now. It won't go to me, the office staff, or to board members. Some will be used to send the flyers into parks telling residents to draw the line in the sand and not trust managers who say you can't sell your older mobilehome because the park is being upgraded. We will reserve most of it in case of litigation. That's only smart. Send us \$25. or \$50. or \$100.00. That's less than you would spend for 30 minutes of time with an attorney. I'm always here for you. Call me and let's discuss your problem. I'll give you more than 30 minutes. And that donation will help us begin an **OFFENSIVE CAMPAIGN AGAINST INJUSTICES**. This is so important that I am giving \$100.00 to start the DONATION CAMPAIGN OFF. You may know I have a family to support,; a wife and an eleven year old son. I've worked FULL TIME for CoMO-LAC the last two years, including 3 months last summer when I was working as a general contractor. Anyone making a donation will be acknowledged in THE VOICE, unless you choose not to.

**PLEASE DIG DEEP! YOUR DONATION WILL MAKE A DIFFERENCE!**

**PRESERVING / PROVIDING LOW-INCOME HOUSING**

The following is part of an MHOF post by Deane Sargent of PMC Financial Services. It is an opinion regarding a "Housing Authority" to acquire a mobilehome park by eminent domain for the purpose of preserving or providing low-income housing. This should be very interesting to you. **(By the Editor)**

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The attorney who created the eminent domain opinion (a portion of which follows) is David W. Skinner with Meyers Nave Riback Silver & Wilson, Oakland, CA - 510-808-2000.

I provide the following quote from the opinion (the actual opinion is over 5 pages long):

"I believe [Housing Authority] can acquire the park by eminent domain. [Housing Authority] has express statutory authority to exercise its eminent domain authority of the purpose of preserving the stock of low-income housing in the County and/or providing low-income housing. The [California] Legislature encourages public entities to acquire mobile home parks for these purposes and has even established a loan program to pay for the acquisitions. The statutory provisions relating to a "change of use" of mobile home parks are not applicable and would not prohibit [Housing Authority's] use of its eminent domain authority. [Housing Authority] may even transfer the Park after its acquisition to a private entity which will operate the park for the benefit of the tenants, if it so desires."

Note that this opinion was rendered in January 2005, prior to the Supreme Court ruling on Kelo v. New Haven, which, as a layman, I think only strengthens the ability of public entities to acquire parks, etc.

Note also there is a danger that state legislatures, in their zeal after Kelo to protect private citizens from greedy developers, might enact laws which would limit or eliminate the ability of public entities to acquire parks for the benefit of residents.

I (that is, Deane) interpret the "private entity" to be a nonprofit resident owned mutual benefit corporation, which is the legal structure I use with resident acquisitions. In theory, it could also be a 501c3 affordable housing provider.

The determination of value after condemnation is always an issue, but generally, when faced with outrageous rent increases or the possible loss of their homes through development, residents can afford the purchase price.

Now all you have to do is find a public entity with board members who have some degree of moral courage.

I would be happy to talk with residents from the park you mentioned. Please have them call or email me, or send me their contact information and I will get back to them.

Thanks,

Deane Sargent, PMC Financial Services

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## MOBILEHOME OWNERS EXPERIENCING THEIR OWN KATRINA RIGHT HERE IN CALIFORNIA

We were horrified and saddened to see and hear of the devastation from hurricane Katrina in Louisiana and Mississippi. So many thousands of people now homeless. And their continuing suffering. At least the government is involved, pouring billions of dollars into the region—let's just hope some of it get's to those in need.

We have our own Katrina right here in California. Parks all across the state are violating the Civil Code. They are telling residents to move their mobilehomes just because they are older. And telling residents the law allows them to do this. BUT THEY LIE, simple as that! The MRL only requires older homes be moved if there are health and safety violations that have not been corrected

One CoMO-LAC Member writes (Maybe some of you feel like her!):

We have lost half, if not more, of our homes and residents here. That puts so much fear in people its terrible. I sit here in this goddamn house freezing every night because I can't afford to turn the furnace on. My son and daughter in law pay for my electricity and phone bill because I can't afford that either. Laundry is piled up neck deep because I can't afford the water bill it would take to do it. I'm fed up to the gills with being stressed out knowing that people are getting screwed out of their homes and cheated out of their rightful selling price. I'm sick of seeing our manager pick on people who can't stand up for themselves because of the lax manner in which the laws that are supposed to protect them are handled. And because of their own ignorance or just plain fear that they will lose their homes and get nothing at all for them. I, like so many others, don't have any alternatives if I lose mine. That's why I fight, Frank. In any way I can. That's why I rack my brain to try to find some answers to how to stop all this and help these people. Because I have to help myself. I live on a fixed income of \$812.00 a month as do many others here. There are no "extra's" of any sort. There is no extra income to pay for them. EVER.

I have said all along that the only way to stop this is to form a coalition of as many of the other organizations as possible and become that ONE VOICE so we will be heard. We keep doing the same old thing and none of us are getting anywhere. We will all sink if it isn't stopped. How could we not? Everybody makes such a huge frigging deal out of it if one resident in some park we never heard of wins a case against their manager/owner. In the meantime HUNDRED'S more are losing their homes to these people simply because we can't get our act together.

As I said, last night I went through a whole lot of emotions because another neighbor just lost out to them the day before. Then yesterday, Rose, who is my eyes and ears all over the park told me that the manager has just got another home and has now started in on a developmentally disabled gentleman that lives next door to her. He can't defend himself and he will comply until his family can't take it anymore and they will move him out just like so many, many of the others have. Just like the last two that were bought out in as many days. We're talking about a hundred people, and in some cases, whole families that are now gone. How many more than that could you handle seeing leave under such circumstances before you did something as drastic as what I proposed? I don't even give a damn if it fails. At least I would have TRIED!

## **PARK STRATEGIES TO INCREASE INCOME**

Why do park owners own mobile home parks? Let's face reality, owning a park is a business. What is the goal of park owners? To **maximize their profits** by increasing income and decreasing expenses. It doesn't take a nuclear scientist to figure out how to do this. In this article we will analyze how they increase income by a) Raising Rents, b) Circumventing Rent Control, c) "Upgrading the Park" and d) Eviction

### **A. INCREASE RENTS in Parks Without Rent Control**

Let's first look at increasing rents in a park **without rent control**. No rent control means just that, the landowner CAN increase rents at will, without any justification. And this IS happening all across the state of California. Some landlords have raised the rents so high that residents have been forced out and had to leave their homes behind - WITHOUT ANY COMPENSATION. You might ask: "How can this happen?" It is simple. When a space rent is increased to a level "higher" than the market will bear, the mobile home on that space is essentially worthless. It has NO VALUE. This means the home owner CAN'T SELL IT. And the home owner is forced to pay the high rent. This often results in the home owner simply leaving the park and ownership of the home reverting to the park. By charging high rents, the park has essentially STOLEN the mobile home. So what does the park do with this windfall? They probably rent it out - some in my area are going for \$1800.00 per month.

So how has the park owner benefited?

- The Park Owner has increased his rental income, i.e. more money in his pocket.
- In some cases he has gotten a residents mobile home, without having to pay for it - a "windfall profit."
- This results in even more income when the park owner rents out the newly acquired mobile home.
- And he has increased the **value** of his investment, the park, by increasing profits. When a rent is increased by \$100.00/month, the value of the park could increase by \$10,000 or more.

If you question whether or not this is actually happening, just look at Blue Star Mobile Home Park in Sylmar. The 156 spaces in the County of L.A. are not under rent control and Sierra Corporate Management, Inc. has given them notice their rents will be raised by \$129.00 by April 1, 2006. Another park here is charging rents up to \$1200.00 per month, an average of about \$600.00 per month higher than comparable spaces in the area. What happens? Residents are leaving and the park is getting their homes.

**Where do these extra profits come from? They come from your pocket! And from mine!**

**You can lose your mobilehome. You will lose equity in your home. And you will pay higher rents.**

### **B. INCREASE RENTS In Parks With Rent Control**

Next, let's look at the strategy to increase rents in a park **with rent control**. This is a little trickier for the park owner. In Los Angeles we have a rent control ordinance. A space IS under rent control until it is "decontrolled." What does this mean? Simply that there are situations when a space is no longer under rent control and the landowner may increase the space rent to whatever level the market will bear or higher. This knowledge is important to the landowner's strategy. So what are the situations?

**#1 Strategy: Increase rents by getting around rent control - offer only long term rental agreements.**

This approach is often used and there are several methods to get around rent control. For example, a buyer comes into a rental park to purchase a home. While the Mobilehome Residency Law protects homeowners," it **does not protect** prospective tenants or buyers coming "off the street," i.e. someone who

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**STRATEGIES continued from Page 8**

does not yet have tenancy under a rental agreement. (798.9: Definition of Homeowner. "homeowner" is a person who has a tenancy in a mobilehome park under a rental agreement.)

So what does this mean? The buyer is only offered a long term rental agreement, which means he is NO LONGER under rent control (anything over 12 months is NOT under rent control). This does and is happening! And it means that the park CONTROLS rent increases, not the City under their rent control ordinance. This means the "buyer" will usually end up paying higher rents, resulting in more income for the park owner. (That's why this is happening, that's one goal of long term rental agreements).

**#2 Strategy: Increase rents by "decontrolling" a space - Remove a mobilehome.**

When the mobile home is moved off the space (except in the case where a resident is simply replacing his home with a newer home), the rent control ordinance does not apply. This means the space is "decontrolled," allowing the park owner to increase that space rent at will - to any level. Once the space rent is increased and a new manufactured home is installed, rent control is again active (but at the higher rent level).

So what are the strategies to remove a mobilehome?

- **UPGRADE THE PARK - HIDE BEHIND THE MOBILEHOME RESIDENCY LAW:**

One method is to send the park residents a newsletter explaining that the park is going to upgrade, i.e. remove the older mobile homes. For instance one park recently wrote "the whole look of the park is what keeps the value of our homes up. Yes, we are replacing homes in the Park which are older than 1971-1974 as they come up for sale as allowed per the MRL and Park Agreements."

Likewise, when a home comes up for sale, tell the seller that he can't sell and must remove his home. Or tell the seller he can sell, but the buyer can not and must remove the mobilehome.

Removal of a mobile home has several benefits for the park owner.

Space rent can be increased at will - again more money in the park owner's pocket.

Working (cut a deal) with a Manufactured Home dealer or builder to bring in new mobile homes and charge premium rates for their purchase. The park owner shares in the profit from the sale of a new mobile home.

The value of his investment is again increased by upgrading his park and increasing his profits.

- **EVICTION - SOMETIMES BY ANY MEANS**

**A)** The park will try to evict a resident, especially if they are breaking a Rule or Regulation. Give the resident a seven day notice, followed by a very threatening 60 day notice from the park attorney (see below for an example) to terminate their tenancy. If the resident does not understand the law (and who does?) this probably will result in the resident being extremely agitated, fearful, and intimidated. And where is a resident to go to get help? Most of us have no clue who to turn to in this situation. (But now there is CoMO-LAC!). What if the resident is not breaking a R&R? Then the park can simply pick any R&R that may apply and ignore the residents attempts (letters, phone calls, and other pleas) to explain that rule isn't being violated.

**B)** Evict a resident for non-payment of rent. This is a slam dunk for parks. Remember the resident in Carson who lost his home when he failed to pay his rent, received a 3 day notice to pay or quit, didn't pay in the three days, and eventually lost his home.

So how does eviction increase rents? The Rent Stabilization Ordinance in Los Angeles states (commonly asked questions #12) that "the rent on a mobilehome site is decontrolled **See STRATEGIES / Page 10**

**STRATEGIES / continued from Page 9**

when a tenant is evicted for non-payment of rent or for violating the terms of his or her rental agreement." The park can raise the space rent at will, without regard to the Ordinance. Simple as that.

Other benefits: The park owner may benefit in other ways when a resident is evicted.

**THE FOLLOWING NOTICE IS BEING GIVEN TO RESIDENTS ACROSS THE STATE**

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**SEVEN DAY NOTICE—SIXTY DAY NOTICE TO TERMINATE**

**IF YOU DO NOT COMPLY, MY CLIENT IS ENTITLED TO SERVE YOU WITH A SIXTY (60) DAY NOTICE TERMINATING YOUR TENANCY OR TO TAKE OTHER ACTION AS PERMITTED BY THE MOBILEHOME RESIDENCY LAW.**

*In order to remove any questions or misunderstandings which you have relative to our intended action, I have included the following information regarding the basic effects of the Sixty (60) Day Notice in order to assist you in making an informed decision as to your future conduct.*

*Therefore, I must stress that your continuing course of nonconforming conduct and behavior must immediately cease. My client shall not tolerate any further violations either now or at any time in the future. If any further such violations of the provisions occur, my client will be left with no alternative but to terminate your tenancy in accordance with the applicable provisions of the California Civil Code and your Rental Agreement and Rules and Regulations.*

*The basic effects of the Sixty (60) day notice are as follows:*

*Your tenancy in the Park is terminated on the date this Notice is served on you, not sixty (60) days later. In other words, the sixty (60) days are provided for the purpose of giving you a reasonable time in which to relocate or sell your coach, subject to the Civil Code Section 798.73, and not to make up your mind as to whether you wish to remedy these violations.*

*Both the California Civil Code section relating to mobilehome parks and the Park's Rental Agreement provide that you will be obligated to pay all legal fees and costs incurred by my client in terminating your tenancy. Typically, such fees and costs are very substantial; therefore, as I am confident my client will prevail, I urge you to begin now to put aside sufficient monies in order that you can pay these sums to my client. In this regard, I would estimate that the legal fees and costs will amount to several thousands of dollars. As you can understand, this is a high price to pay for these continued violations.*

*Accordingly the Management of this park hereby gives you notice of the above-referenced-to violations. You have seven (7) days after receipt of this Notice to remedy the above-specified violations. If you do not comply and remedy the above-specified violations within that time, the notice of termination of your tenancy in the park may be issued to you, and you will be required within sixty (60) days thereafter, as described above, to move from the space you presently occupy.*

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**See STRATEGIES / Page 11**

**STRATEGIES / continued from Page 10****WHAT WOULD YOU DO?**

What would you do if you received such a letter from the park attorney? I'd be scared to death at the prospect of losing of my mobilehome or at the very least "thousands of dollars" in legal fees and costs. In some cases the resident simply gives up, does nothing, takes no action, and eventually is evicted from the park. The park may offer some compensation, perhaps a few thousand dollars, if the resident walks away. In other cases the resident hires an attorney and fights for their rights.

In any case, the park wins. At least the park will have shown you that IT IS THE BOSS. That you are at the park's mercy. And this helps keep you and other residents "in line." This contributes to the fear and intimidation felt by residents. When the park knows you have, in fact, violated no rule, they will usually withdraw and leave you alone. They will not want to incur additional attorneys fees, especially when they know they do not have a case for eviction. But you MUST stand up to them, especially if you have broken no rule.

How else does the park benefit from such action? The park may in fact get you to leave, without any compensation for your home. Because you were "evicted" the park can then raise the space rent at will. The park could rent out your mobilehome, or remove it and put in a new manufactured home, again reaping the benefits.

**WHAT CAN YOU DO TO PROTECT YOURSELF?**

Believe that this can happen to you. Just ask Lucy Fried in Tradewinds (Edwards Air Force Base) or Anna Mathis in Fairway Estates (North Highlands, near Sacramento).

**Do not believe everything the park tells you.** Question, Question, Question!

Get assistance, whether from GSMOL, CoMO-LAC, another advocate organization or an attorney. Know that when you get a seven (7) day notice, the park may not just want you to conform to the Rules and Regulations, **this may be their strategy to evict you and get your home.**

Do not DO NOTHING. Notices are legal documents, with legal consequences. When in doubt, get the advice from a trusted attorney. CoMO-LAC can help you find one. Spend the \$15.00 to join CoMO-LAC if you are not already a member. Where else can you get such important information - not in any publication we know. We are here for you, but we can only help you if you help yourself first and join.

**NEXT MONTH:**

**MORE STRATEGIES USED BY PARKS TO GET YOUR MONEY**

—————**SEND US YOUR EXPERIENCES**—————

## OUR PRESIDENT'S STORY (continued from March)

### WHY I PRESENT MY EXPERIENCE

Some of my friends have suggested that I not write about GSMOL. They say that CoMO-LAC may someday work together with GSMOL and I shouldn't make waves. I respect their opinion, but I personally feel mobilehome owners across the state have a right to know the "inner" workings of our leading advocacy group—GSMOL. All that I write can be substantiated. And this is not "sour grapes" on my part. Actually, my experience with GSMOL has stimulated me to form CoMO-LAC, something that should have been done long ago.

My hope in presenting this is that mobilehome owners will become more interested and participate in all advocacy organizations, rather than sit back and think someone else is taking care of business. There are thousands of GSMOL members who do not know how GSMOL works. This is a glimpse into the "inner workings" of GSMOL. I remain dedicated to supporting all mobilehome owners and if you read THE VOICE you know CoMO-LAC will work and promote any group that has that as their goal.

This is a continuation of my story from last month. You will recall I had been taken to court by my park manager who claimed "unlawful harassment." Although the manager was on the stand the better part of one day, I never testified or said one word. Fortunately, the Judge found the evidence against me lacking. I can now say that every charge against me was false and fabricated. In fact many of the situations did happen, but not like Sally would have liked the Judge to believe. Many of my friends suggested I had a good case of harassment against the park.

### WORKING FOR ENFORCEMENT OF THE LAWS

Since the beginning of 2004 I have worked hard trying to "improve" GSMOL. I've been especially concerned with their Enforcement Legal Fund (ELF) as written in last month's article. And naively I've felt that someone should be responsible to the membership of GSMOL for the loss of members, the resulting loss of operating capital, the loss of ability to get laws passed, and the loss of advertising revenue. I've wanted to see GSMOL focus on the needs of the membership, not on new legislation. I've wanted to start a GSMOL e-mail network and have more communication and networking between GSMOL volunteers, managers, members, and leadership. Alas, my efforts have been to no avail. The leadership would not discuss these issues and even attacked me as being a TRAITOR and not having the interests of mobilehome owners at heart. How much further from the truth can that be? In the June 2004 Californian, Steve Gullage wrote: "There are a few who will tell you that the ELF program will not work and is destined to failure. This is their wish, not ours. ...If these non-supporters of GSMOL, and our programs come into your park and spout off against ELF, send them on their way. They are not there to help you, but to serve their own agenda. They would see GSMOL fail rather than to be proven wrong. The park owners and managers love what they are doing. Don't help them—help yourselves." Of course Steve was very wrong about my intentions. I challenged ELF because it wasn't working. Today, GSMOL is still struggling with the ELF program. ELF could have helped us long ago, but it hasn't, not one person. That's why I questioned the program! GSMOL members should take a more active role in their organization, and let the GSMOL leadership know this is not acceptable. Enforcement is critical—get on with it! Just think what CoMO-LAC could do with \$100,000.

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### RECOMMENDATIONS REPORT

In July 2004 I formed an independent committee which submitted a "Recommendations Report" to the GSMOL Board of Directors asking that the focus of GSMOL be more on the local level. Seven other GSMOL managers contributed to the report—some at the Regional Manager level. Certainly the leadership of GSMOL would listen to this group of managers. It defies reason, but the leadership essentially ignored the report! And not one of our recommendations has been implemented. We asked the leadership to share more with us, to be a more open group, to publish Board minutes in the Californian, to have an email network so that active GSMOL members could communicate among themselves and .... Some of the original 8 managers have written very critical letters of resignation to GSMOL, I was fired as Associate Manager of the San Fernando Valley (no explanation was given—although obviously it was political) and others continue - business as usual. In March 2005 I sent in my \$20.00 membership for renewal, only to have GSMOL leadership hold it, essentially denying to renew my membership. Finally, after four months and several letters explaining they were breaking the law and threatening to go to the State Attorney General, my membership was renewed! Many of us still believe ENFORCEMENT of the laws is critical.

### GSMOL AND CoMO-LAC

As you may know if you read THE VOICE, when CoMO-LAC was formed, we wrote a letter to GSMOL saying we were not in competition with GSMOL and could actually compliment GSMOL. In fact we wanted to work together. I attended this years GSMOL Convention as a Delegate at Large. Why did I go you may ask? Because we need to support any organization that is helping mobilehome owners. In fact the bylaws of GSMOL state their purpose is to promote the general welfare of mobilehome owners. Yes, PROMOTE THE GENERAL WELFARE OF MOBILEHOME OWNERS. Actually that is the purpose of CoMO-LAC also.

So why are our two organizations so different? Perhaps the biggest difference IS the leadership. Also the general openness and flexibility. CoMO-LAC encourages its members to participate, and to make suggestions. I suggested having an open discussion between GSMOL members and leaders at the 2006 Convention. Last year I challenged the Vice Presidents to have such discussions in their local areas. Of course neither happened. CoMO-LAC wants its members to network and communicate with one another. To share their ideas. GSMOL does not. We openly discuss CoMO-LAC, the organization and welcome feedback. The Californian could provide members with lots of information. What are the park owners doing? Who are they? What is their organization like? How are they taking advantage of us? And more importantly, what GSMOL is going to do about it! Alas, they just want more members.

### THE GSMOL CONVENTION

Not only did I go to the GSMOL Convention as a delegate, I also ran for the state-wide office of GSMOL state secretary. Why not, I've attended almost all board meetings in Garden Grove. In fact I attended the last board meeting and the recently appointed Secretary Jean Phillips was a no show. Her first Board of Directors meeting and she didn't show up! For your information all GSMOL Directors, except one, have been appointed by the Board. Lloyd Logan is the exception.

**NEXT MONTH: THE "ELECTION"**

## ANTELOPE VALLEY GROUP VP Election Postponed Because of Low Attendance

A bad cold snap that brought rainy and snowy skies and the lack of publicity by the local press made for a very, very sparse turnout at the Antelope Valley CoMO-LAC meeting March 11 at the Boulders I MHP in Palmdale. Aside from the Antelope Valley Group's four officers, only seven people (all paid CoMO-LAC members) were in attendance. The low turnout forced the Group to postpone the election of a new Vice President until its April 14th meeting at the Saggetree MHP in East Palmdale.

All agreed that the low attendance was because of some very nasty weather and because the local newspaper did not print a news release about the meeting, even though the news release had been submitted via e-mail to the newspaper Editor twice during the week preceding the meeting. Without making any direct accusations, this lack of publicity seemed suspicious because the Boulders I, Boulders II, and Boulders at the Lake are owned by the city of Palmdale Ralph Weber, Group president said, and the Press Release submitted by the Antelope Valley CoMO-LAC group said the meeting would focus on preventing future attempts to ban rent control. The City of Palmdale has a Rent Control Ordinance. Billie Thomas, Secretary of the Group and a resident of Boulders I (hosting the meeting) said that she did not receive any cooperation or support in preparing for the meeting. It seemed to me like they were discouraging residents from attending, she said.

In the meeting Ben Renshaw, Vice President of the AV Group, gave an update on his Parks (Hacienda MHP) dispute with management over almost doubling the trash pickup fee. He explained that management asked for an increase from the \$11 fee to a \$20 fee. Management explained that the increase was because Waste Management has increased its rate by \$4. When told that simple arithmetic indicated that the trash pickup rate increase to the residents was excessive, management said that the Park Owner told him to go ahead with it anyway. The Hacienda Mobilehome Owners Association is now taking the matter to a civil suit. The Hacienda HOA is keeping records of the amounts of excessive charges the Park is collecting and may even consider getting a rebate of the overcharges via a small claims action. Well keep everyone posted on this one.

There was much discussion by Floyd Gilbert about the use of the Quartz Hill MHP Community Hall. It seems that most of the Quartz Hill Parks residents are completely intimidated and were almost impossible to organize an assault against Management abuses. Floyd Gilbert has filed a personal civil suit against the park owner. Most of the recommendations from the group in attendance said that Floyd should not give up trying to organize a viable HOA, because fighting alone against management is usually a losing cause. Tom Bakkila, a resident who sued his park to recover excessive charges and WON. Tom was not able to attend the meeting but in a phone call indicated that he would give us all the details of the case at our next meeting.

The next meeting of the AV Group will be at 11 a.m., Saturday, April 14  
at the Sagetree Village MHP, 3524 East Avenue R in Palmdale.

**ALERT!**

Have you received your copy of the Mobilehome Residency Law 2006? It might be titled "California Civil Code Provisions, Mobilehome Residency Law (Effective January 1, 2006) @ Western Manufactured Housing Communities Association.

Two things:

1. If you have not received this by February 1st then the park is in violation of the civil code.
2. If it contains the wording above (Western Manufactured Housing Communities Association), this means that your park is a WMA park—we write often about the WMA. We feel they advise their managers how to take advantage of us.

If you have not received a copy of the Civil Code, your park is in violation. We suggest you immediately notify management writing that you haven't received the Code. If they do not give you the Code after your request, they are in violation of 798.86 (Management Penalty for Willful Violation) and you could take them to small claims court and be awarded up to \$2000.00. DO IT! If they refuse to obey the law, perhaps a money judgment will get their attention.

**COMO-LAC APRIL MEETING SCHEDULE**

April 5th: Board of Directors Meeting. Wednesday 10am. Chatsworth Mobile Home Park, 21500 Lassen Street, Space #31, Chatsworth.

April 14th: Antelope Valley Group Meeting Saturday 11 am: Sagetree Village MHP, 3524 East Avenue R in Palmdale.

**WHAT WE ARE WORKING ON FOR MAY**

We will ask the president of the group, Mobile Home Owners Coalition, in Oakview (near Ojai) to write an article about his organization.

We have asked Charlotte Guiles of Grover Beach to write an article—they are being asked to remove their "park model" mobile homes from the park.

We will provide an update on The California Property Owners Protection Act.

We are currently working on our new website. Take a look! <http://www.comocal.org>. It's terrific.

We want to provide service to our Hispanic friends and neighbors. To that end, we are working to provide THE VOICE in Spanish. (Any Spanish speaking member who would like to help, please call Frank)

We will include an article about Wisconsin Mobile Home Owners (WiMHOA), our Wisconsin sister group.

More strategies to counter campaigns by park owners and managers

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## A MESSAGE FROM OUR PRESIDENT

Thank you to those members who took the time to cast their ballots to go state-wide. The paperwork to change our Articles of Incorporation from CoMO-LAC to CoMO-CAL has been sent to the California Secretary of State. Our member in North Highlands, near Sacramento, has been good enough to personally deliver it. We should be official this month—Coalition of Mobilehome Owners—California. CoMO-LAC will still exist in Los Angeles County for our members there.

Over the last year, THE VOICE has shown that the park owners are working hard to take advantage of us. And now they are trying to eliminate rent control, through "The California Property Owners Protection Act." I'm sure they will have lots of support. Park owners continue their campaign state-wide to "upgrade their parks," and get around rent control. In one SFV park, "upgrading" has cost our friends and neighbors roughly \$300,000. over the last year or so. That's money that they could have kept in their pockets. Instead the park owner has been able to convince them, or force them to sell cheap and their homes have been moved to make way for new mobilehomes. I've figured off each transaction the park makes about \$75,000. COME ON PEOPLE, ISN'T IT TIME TO STAND UP FOR OUR RIGHTS!

We can't sit back and let this continue. I WON'T! My friend Kristen Zehner, President of Wisconsin Manufactured Homeowners' Association (WiMHOA) writes "AN INJUSTICE TO ONE IS AN INJUSTICE TO ALL." We can stop this campaign of "upgrading." We must stop it. We must work together because I can't do it alone. BUT HOW? It's easy! First we must convince mobilehome owners to trust us. Second, we must educate them as to the law. In this case the law is clear: YOU DON'T HAVE TO MOVE YOUR OLDER MOBILEHOME UNLESS YOU HAVE UNCORRECTED HEALTH AND SAFETY VIOLATIONS (read 798.73). There is a court case, the 1993 Lake Wohlford case, for interference of the sale of a residents older home. In this case the home was worth less than \$20,000, but the settlement was about \$ 300,000. That owner, by standing up and doing something, helped himself and all mobile-home owners. Let's stand up like he did. We have the power to stop this injustice!

Another thought. Please take an active interest in CoMO-CAL. If you belong to GSMOL, be an active member. Don't just sit back and think someone is taking care of your business because they aren't. If you need help, I'm hear to chat with you and together we can work on a resolution. But don't think I will do it for you. I'm disappointed at our members in Northridge Mobile Home Park. I've heard some are saying: CoMO-LAC is just like GSMOL, that we don't do anything." Now that Carol Mabus has moved, no one will take the leadership role in Northridge. One of our members has provided the residents of Northridge some hope of reversing the \$29.00 pass-through. Yet the City Attorney's Office has not been asked why they have not rendered a ruling on the testimony at the hearing between the park owner, the park residents and the L.A. Housing Department. Come on, someone step up and work with me. Let's write some letters. Let's make some calls. Let's not quit!

Finally, I feel we have only ourselves to blame for our predicament today. Of course park owners will work to increase their profits, why not? And they will be successful if unchallenged. No one has been enforcing the laws that protect us! Please everyone, start working with me. We must have teamwork!

**WE MUST TAKE AN ACTIVE ROLE AND BEGIN CHALLENGING THEIR INJUSTICES.**

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2. Thank you, thank you to those members who are getting their **RENEWALS in early.** We appreciate your support. And this makes our work easier; since we do not have the added cost and labor to send you a renew notice. So Thank You! Remember also, if you want to continue your membership and can't afford the \$15.00, just let us know. We are here for you and will support you, even without your \$15.00.
3. **KNOW WHEN YOU ARE UP FOR RENEWAL. LOOK AT YOUR MEMBERSHIP NUMBER. THE FIRST NUMBER IS THE YEAR YOU JOINED, THE SECOND TWO ARE THE MONTH YOU JOINED.**
4. **Donations:** we are EXTREMELY grateful to those members who have sent in donations on their own—\$5.00, \$10.00, \$20.00, even \$1000.00! This doesn't mean we're not grateful to those members who can only send in \$12.00. We understand! It is heart warming to know you feel we're doing a good job. Thank You, Thank You.
5. Please tell your friends and neighbors they can advertise in THE VOICE. Only \$20.-\$30.00/month.
6. If you have a "situation" in your park, a problem or issue, please let us know about it. You are our eyes and ears and without you CoMO-LAC would have no newsletter. We never hear anything good happening in parks, so send us that information also. We are open to suggestions for new subjects; something we don't cover yet. If you would like to write an article on a subject regarding mobilehome life, please send it.
7. We are available to come to your park to speak on a subject of interest to mobilehome owners. Give us at least two weeks notice.
8. Remember, CoMO-CAL is an organization for you, by you. That means you have to keep the ball rolling, whether through a donation of money or time. We are asking for donations to a **LEGAL FUND.** The money will be used only to help members with Small Claims Court or other litigation. None of it will be used for the newsletter or other expenses. **THIS IS IMPORTANT!** A legal fund will help to make us a viable organization. We need money to have clout. So send in whatever you can. All CoMO-LAC members will be eligible for the funds.
9. **We also need donations for flyers.** We continue our campaign of mailing flyers into areas that do not know we exist. 6,000 flyers cost about \$2,000. Our experience with previous mailing campaigns has been positive - we get almost enough new members to pay the expense of the flyers. So please consider a **DONATION** towards the money to send out flyers. **THANK YOU!**
10. If you would like us to write about a subject important to you or your park, let us know.
11. The Prez says: I'm usually available to chat with you. Give me a call and say hello. Let me know what's going on with you and your park. This is the only way we really know what's happening.

# CoMO-LAC

(COALITION OF MOBILEHOME OWNERS-LOS ANGELES COUNTY)

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

## MEMBERSHIP APPLICATION

NAME: \_\_\_\_\_ Date: \_\_\_\_\_

PARK NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY/ZIP \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

APPLICANTS PHONE NUMBER (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_ check( ) cash ( )

SIGNATURE OF APPLICANT \_\_\_\_\_ renewal( ) new ( )

MEMBERSHIP (\$15.00/12 MONTHS) Membership Dues Not Refundable.

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

MAIL TO: CoMO-LAC, P.O. BOX 4821, CHATSWORTH, CA. 91313-4821

CoMO-LAC 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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