



# COALITION OF MOBILEHOME OWNERS

## SPECIAL ALERT ISSUE

# LET'S DEFEAT PROPOSITION 90 - TOGETHER!

## RENT CONTROL & THE MRL (CIVIL CODE)

## COULD BE LOST IF THIS INITIATIVE PASSES

As of June 26th, the Secretary of State for California announced the Initiative (SA2005RF01460) called the "Protect Our Homes Initiative" has qualified for the November 7, 2006 ballot as **Proposition 90**. **This is very serious.** Proponents are telling us that this proposition won't eliminate existing rent control and that it deals primarily with Eminent Domain, i.e. the governments right to take private property. **But don't be fooled. It WILL NOT protect our homes.** Quite the contrary, we could lose our rent control and even the Mobilehome Residency Law. We have NO doubt that it will deal a devastating blow to mobile home owners. Mr. Jim Holmes, attorney for CoMO-CAL and Maurice Priest of GSMOL, both agree that this is a very dangerous initiative. (Read what they say—join and go to our "members only" section at [comocal.org](http://comocal.org).) We feel our rents could increase \$200 or more. Here in Los Angeles, rents in non-rent controlled areas are often double what they are under rent control. **WHAT WOULD YOU DO IF YOUR RENT DOUBLED?** And it's not just the increased rents. Your mobile home would, overnight, be worth thousands of dollars less.

## EVEN IF YOU DO NOT LIVE UNDER RENT CONTROL NOW, THIS IS VERY SERIOUS

The consequences to you may even be more serious. Your landlord may see this as an opportunity to "push the envelope harder." This could result in larger rent increases more often—we simply can not afford to allow this PROPOSITION to become law.

It is time to act. We only have four months to MAKE A DIFFERENCE. We all need to work hard to defeat Prop 90. So what we suggest?

- VOTE on November 7th and VOTE NO on this Proposition. If you can't make it to the polls to vote, please consider applying for permanent Absentee voter status.
- **Join our family.** Membership in CoMO-CAL is only \$15 for 12 months or \$40 for 36 months. You receive monthly issues of THE VOICE, advice when you need it, attorney referrals, ALERTS, and much more. When you join, you will be helping yourself as well as other mobile home owners across the State of California. Be part of the SOLUTION, not part of the PROBLEM. Let's unite together.
- **E-mail ALL your contacts in California.** Most are probably voters. Tell them to VOTE NO on prop 90. And ask them to e-mail all their contacts in California. This doesn't take much time, but it could be very effective!
- Get the word out. Show this flier to your friends, neighbors, and relatives. All voters should VOTE NO on Proposition 90. Don't make the mistake—a yes vote will eliminate Eminent Domain, but at what cost to mobile home owners! We could lose rent control, the MRL, our homes, and our lives! What else can they take?

# **COALITION OF MOBILEHOME OWNERS—CALIFORNIA**

## **BACKGROUND—RENT CONTROL IN THE STATE OF CALIFORNIA**

The State of California is the last bastion of rent control in the country. We have some form of rent control (actually rent stabilization) in roughly 100 cities and 7 counties. Here in Los Angeles, for instance, we have a rent stabilization ordinance (RSO) which allows increases from 3% to 8% depending on the Consumer Price Index. Over the last 11 years this has resulted in increases of 3% (although the CPI was often around 1%). For the year beginning July 1, 2006, the increase will be 4%.

## **WHAT HAPPENS IF WE LOSE RENT CONTROL? HOW ARE RENTS AFFECTED?**

The consequences could be chaotic. Just look at a few examples. Rents in parks just a few miles from my park in Chatsworth are more than double (\$1200.00 vs. \$550). Our friends in Royal Palms in Oxnard just received a \$77.00 rent increase and the park owner wants another 50%. The park owned by Sam Zell in Santa Cruz received a \$4000.00 rent increase (effective when the residents move) when the City of Santa Cruz could no longer afford to fight. Blue Star in Sylmar is also under the gun with rent increases of \$129.00/month. In addition new tenants must pay \$850.00/month. This is about \$400.00 higher than their average rent today.

What does this all mean? Simply that if you are now under rent control and rent control is lost statewide, your rents could increase 50% or more. Can you really afford that? We can't!

## **WHAT ABOUT THE LOSS OF EQUITY (VALUE OF OUR HOMES)?**

Remember Clay Harrison's "Sellers Guide?" It stated that you lose \$1000.00 in equity for every \$10.00 of rent increase. Those residents in Santa Cruz now have NO EQUITY. If they want to sell their home, they won't get anything because there is NO MARKET for a home on a \$5000.00/month space. Blue Star residents face a loss of about \$13,000.00, meaning some have will have lost all their equity also. Increases across the state could be in the range of \$200.00-\$800.00 or higher.

## **CONSEQUENCES OF HIGHER RENTS**

Many mobile home owners simply will no longer be able to afford the higher rents, especially those on fixed incomes who are just making it today. What are they to do? Combined with a serious loss of equity (your home is also worth less, perhaps thousands of dollars less), the result could be devastating. They likely would be homeless! Simple as that. Others who are able to sell might be forced to rent an apartment. BUT this loss of rent control means HIGHER apartment rents. Think about it, what would you do?

## **FACTS YOU NEED TO KNOW**

There are about 700,000 spaces statewide, in about 5000 mobile home parks. We estimate there are over 200,000 spaces under rent control. Let's just take the average rent increase as a consequence of losing rent control, say \$200.00/month.

**DON'T LET THEM TAKE AWAY OUR RENT CONTROL**

# COALITION OF MOBILEHOME OWNERS—CALIFORNIA

## WHAT IF YOUR RENT INCREASED \$200 PER MONTH?

If just 30% of rents were raised \$200/month, mobilehome owners would be paying a staggering \$40,000,000 more a month! That's right. FORTY MILLION DOLLARS A MONTH.

## WE SIMPLY CAN NOT AFFORD TO LET THIS HAPPEN

## REMEMBER IT'S NOT JUST HIGHER RENT! IT'S ALSO LOSS OF EQUITY.

How much equity could be lost. If space rents averaged \$200.00 higher (a conservative estimate), the value of each mobile home would decrease approximately \$20,000.00 (based on \$1000/\$10 a month increase) Figuring about 30% of the about 700,000 spaces are affected, the total loss of equity would be \$4,000,000,000. That's **FOUR BILLION DOLLARS! Just like that. FOUR BILLION DOLLARS! IT IS UNBELIEVEABLE!**

## WHAT DOES THAT MEAN TO YOU? WHAT CAN YOU DO?

Read this flyer carefully. We are not kidding about this. We are homeowners just like you - our only goal is to UNITE so we have a chance to defeat this and other actions that would have a negative impact on our lives in mobilehome parks.

We are a non-profit organization. Membership dues pay for this flyer, the monthly newsletter, and operating costs for the corporation. Please join us. It is only \$15.00/year - a bargain! If you don't join, and your neighbors and friends take the same approach, we will never have a voice, we will never have any power to fight for our rights. It is important that YOU join our statewide family.

Please alert your friends and neighbors to this threat. We do not have funds to send this information to every mobilehome owner in the state of California. Perhaps one out of ten in your park are receiving this flyer. Please get the word out. Let everyone know there is an organization that cares about their welfare and their investment. You would be doing yourself and your neighbors a favor!

Of course, please VOTE IN NOVEMBER. And VOTE NO for this initiative which claims to just abolish eminent domain. But don't believe those who would have you believe that it does nothing with rent control, because it does. And Tell your friends and neighbors. They will be affected also. They should want to know what could happen very soon.

## WHAT IS CoMO-CAL DOING?

We are sending out flyers across the state to as many mobilehome parks as possible. The postage and printing costs money. We are asking for all to at least join us, send in a check for \$15.00 and join for one year. We provide many services and your dues allow us to have a voice and make a difference.

We want to organize volunteers—to help with mailings, phoning, etc. Please help us and volunteer. Call Frank Wodley @ 800-929-6061 or other contacts found in this flyer. We thank you!

**All VOTERS SHOULD KNOW THE TRUTH. E-mail all your friends in California. Tell them to Vote NO on Prop 90. And have them email their friends. Together we can defeat Prop 90. Write to your newspapers, TV stations or other media.**

# CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

## MEMBERSHIP APPLICATION (Print Please)

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

PARK NAME: \_\_\_\_\_ SPACE #: \_\_\_\_\_

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

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

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

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

MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) Membership Dues Not Refundable.

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

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

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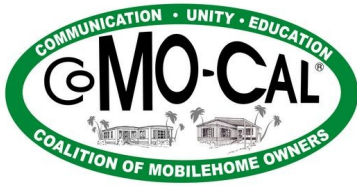
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### SERVICES WE PROVIDE OUR MEMBERS

1. 12 issues of THE VOICE. Usually 20 pages long, filled with important information no mobilehome owner should be without. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected.
2. Website: comocal.org. Members have access to all issues of THE VOICE, attorneys who know the MRL, important links to government, advocacy groups, etc.
3. Small Claims Court Assistance: We will pay your fees up to \$30.00 and help with your paperwork. (Some restrictions apply)
4. Questions / Problems: Our staff is ready to take your call to advise you regarding questions and problems you might have.
5. We have several attorneys to help with litigation or give advice.
6. Ultimately, we give home owners hope.



# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

AUGUST 2006 VOLUME 2 ISSUE 8

## LET'S DEFEAT PROPOSITION 90

### USE THE FLIER (FIRST FOUR PAGES OF THIS ISSUE)

Simple, right? Hardly! This will be an uphill battle. Why? Because every home owner in the State of California will want to vote yes. After all the proposition's title is "Protect Our Homes." One person or one organization can't do it alone. EVERYONE reading this MUST help if we are to be successful. Remember, if Proposition 90 passes, we have billions of dollars in equity and millions of dollars a month in extra rents to lose. This must be our #1 priority. No one can afford to sit back and do nothing, expecting someone else to handle this issue. Some still don't believe Proposition 90 will affect rent control. Our answer: we at CoMO-CAL are not attorneys. But do you really think Mr. Holmes and Mr. Priest, both very qualified attorneys, could both be wrong? Are you willing to take that chance? What if you are wrong?

### **So how can you help?**

- **Use the four page flier attached on the front of this THE VOICE.** Please feel free to copy it and pass it out in your park. Your park can not interfere with this distribution.
- If you have a computer, **please email ALL your contacts living in the State of California.** Explain the passage of Proposition 90 will have devastating consequences on all renters in the state. The proposition is not simply about Eminent Domain, there is a dangerous hidden agenda. Of course we don't want private citizens to lose their property through Eminent Domain, but this Proposition is NOT the way to eliminate Eminent Domain. The politicians are smart, they KNOW what they are doing. It's Proposition 199 all over again, ten years later. It's a TRICK, without the TREAT!
- Support our efforts. Please donate. Remember, if this Proposition passes, it could cost each of us hundreds of additional dollars in rent each month and thousands in lost equity—over night. We can't take the chance to allow this to become law. How will your donations be used? To mail "Alert Fliers" around the state to mobile home owners. The more we get on our team, the more effective we become. We would like to do limited advertising in newspapers and on television also -explaining to ALL VOTERS the harm this Proposition will do if it passes.
- Display a "window sign." It reads: **Protect Our Rent Control. Vote No on 90.** Call or email us and we will send you a sign.
- Read the opinion of Milt Burdick on page #2. This is very serious and we must defeat Prop 90.

**VOTE NO ON PROPOSITION 90**

*The following was written by Milt Burdick, former Zone C GSMOL Vice President for Zone C. Milt is President of GSMOL Chapter 955 and can be reached at 5700 Carbon Canyon Rd #131, Brea CA 92823. Phone 714-572-0253. E-mail: milters2000@yahoo.com*

### **ARGUMENT AGAINST PROPOSITION 90**

Prop 90 could be a threat against Rent Stabilization Ordinances (RSO) better known as rent control. Especially - read (b) (8) last sentence.

California presently has about 99 cities and 9 counties (survey 2002) that have RSO that could be challenged based on this Constitutional amendment. Senior Citizens and low income people are the most affected (your grandparents, your parents, you and your family could face unlimited rent increase based on prop 90). Present RSO could be challenged which will cost Cities and Counties thousands of dollars plus legal fees. Prop 90, based on (b) (8), would make any new RSO ordinances a constitutional violation, i.e. illegal.

### **HELP US SAVE OUR HOMES**

Mobilehome Parks (MHP) are considered low income housing and monthly rent increases run from 3 or 4% (Consumer Price Index) to more than \$200. RSOs keep a check on astronomical rent increases because Park Owners fear that Cities or Counties will pass RSO ordinances. Prop 90 would eliminate this fear. Cities and Counties will not pass any future rent control ordinances because of the language in prop 90. Cities and Counties will be fearful of lawsuits which they can ill afford. Senior Citizens and low income people will suffer financial hardship because of the greed of most Mobilehome park owners. Incidentally, most MHPs are owned by large corporations, not mom and pop anymore. **HELP US SAVE OUR HOMES -----VOTE NO. Prop 90 language would allow unlimited space rent increases.**

You might say Prop 90 does not even mention rent control. Well, Mobilehome Park owners in lawsuit challenges have used the very language that is in prop 90, such as; taking, damaged, fair compensation etc. to fight Rent Stabilization Ordinances state wide. Cases have ended up at the California Supreme Court level on this very issue. The last one that I know of was against the City of Cotati (appellate court #A092242 and A092868, Supreme Court # S099999).

EDITORS NOTE: Milt Burdick was my mentor at GSMOL. I respect his opinion. He has worked hard over the years to protect the rights of mobilehome owners. His article is intended to compliment our view that Prop 90 is very serious. We welcome similar articles from through out the mobile home community. Remember, CoMO-CAL is YOUR organization. Please use it. **REMEMBER: COMMUNICATION**

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CoMO-CAL, Inc. is a non-profit organization committed to protecting the rights of mobilehome owners in the state of California. All persons living in a mobilehome are eligible for membership on an equal basis, except management, owners and employees of owners.

THE VOICE is published monthly by the Coalition of Mobilehome Owners—Los Angeles County for the use of its members.

THE VOICE welcomes articles of interest to mobilehome owners.

### VILLA DEL SOL (HEMET) - UPDATE

by James Dean, CoMO-CAL Chapter Board Treasurer

The Owners of Villa Del Sol decided to issue new Rules and Regulations. When I walked around the Park and talked to residents, I discovered that my negative feelings about the Rules and Regulations coincided with the feelings of most other residents. I contacted Frank Wodley, President of CoMO-CAL and he sent us copies of the June VOICE along with a Flyer on Rules and Regulations. These were distributed to all non-management residents. The theme was and still is, *don't sign the new Rules and Regulations*. The most offensive Rule concerned turning the Park into an All-Age Park.

Over a hundred residents attended the Meeting called by the Owner to "discuss" the Rules and Regulations. Of course, the Owner made it clear that he wasn't going to change anything in the new Rules and Regulations, but if we had a Homeowners' Association he said he would discuss the Rules and Regulations with the Board. We had already been planning the Homeowners' Association and very quickly we had an Organizational Meeting followed by a Meeting to nominate and elect officers. The attendance at both these Meetings was about one hundred. In the meantime we have been signing up residents as members of CoMO-CAL. We presently have 99 members, representing 94 Coaches. Our objective is to represent at least 100 Coaches.

At our next Meeting, we will pass Bylaws and determine what specific issues the Board will discuss with the Owner. Then the Board will notify the Owner in accordance with the Mobilehome Residency Law.

I can't stress enough how important the support we've received from CoMO-CAL has been. Park Owners have the WMA. We need an Organization that will give us advice and support. To fight the Owner and Management without a professional organization behind you is an almost impossible task.

### RENT INCREASES IN LOS ANGELES

We have had lots of calls from members to verify the latest rent increase here in the City of L.A.. Our annual rent increase is now 4.0% (July 2006 to June 30, 2007) and we predict a 5.0% increase the next year. Remember our RSO says our increase shall be the CPI and at least 3%, but not more than 8%. Unfortunately this has often worked in the favor of park owners.

### PASS THROUGHS IN LOS ANGELES

#### Several parks in LA are making improvements. Will you receive a pass through?

Pass throughs must meet the following five criteria:

1. The improvement must benefit the tenant rather than the landlord.
2. The improvement must have a life expectancy of five years or more.
3. Normal routine maintenance and repair are not capital improvements.
4. The improvement must be permanently fixed in place or relatively immobile; and
5. The application must be submitted within twelve months of the completion of work.

**RENT HIKE APPROVED FOR CARSON MOBILE HOME PARK**

June 23, 2006

**Residents see \$61 increase, rather than \$113 sought by owners, as a victory but a city official says, "I have a feeling it's not over." A judge has twice thrown out smaller increases ruling the rental board didn't grant park owners a fair profit.**

By Gene Maddaus  
DAILY BREEZE

In a victory for tenants at the Carson Gardens Trailer Lodge engaged in a five-year legal battle, the city's rental board has approved a monthly rent increase of just over half what the park owner was seeking.

Tenants crowded the Wednesday night meeting of the Mobilehome Park Rental Review Board, and hailed the \$61 monthly increase. Carson Gardens' owners, Tom Flesh and Susan Schott, were seeking an increase of \$113 per month.

"Obviously nobody likes a rent increase, but it's probably the best we could have gotten," said Stuart Parker, an attorney for the tenants. "It's about as big of a victory as the residents can get."

A judge has twice thrown out smaller increases, ruling that the rental board was too stingy and had failed to grant the park owners enough of a profit margin. The board is hoping its third try will be enough to satisfy Judge Dzintra Janavs, while not overly burdening park residents.

Attorneys for the owners did not return phone calls for comment Thursday. In memos to the city, they objected to the \$61 figure as being arbitrary. The city arrived at the figure by averaging the owners' request -- \$113 -- with two other figures based on the consumer price index and a survey of comparable rents at other parks.

It appeared likely that the owners would continue to press for a higher increase in court.

"I'm guessing the other side is not happy with what we did," said Ken Freschauf, the city's housing program manager. "I have a feeling it's not over."

Carson Gardens is at 437 W. Carson St. The 96-space park was built in the 1950s, and is not one of the nicer parks in the city. The current owners bought it in 1997 for about \$1.5 million, and took out a \$1.2 million mortgage. Due to the new owners' debt, gross profits on the park fell from \$158,000 in 1996 to \$58,000 in 1999. The new owners sought an increase in rent, which averaged about \$238 per space, to make up the difference.

The rental board initially granted an increase of up to \$23 per month. The owners sued, and the court ruled the board had not properly accounted for the owners' mortgage interest costs in calculating the increase, and ordered it to try again. The board then came up with a \$36 per month increase, which Janavs ruled was still too low.

Frustrated with the rental board, she imposed a \$113 increase. The park owners sought immediately to collect the increase from tenants, and sued those who did not comply. The state appellate court later invalidated Janavs' ruling and found that only the rental board could set the appropriate increase.

The lawsuit was dropped, and the tenants counter-sued to collect (continued on Page 5: **RENT HIKE**)

**“MOBILE HOME WARS” a Book by Donald DeVore**

A short time ago we were contacted by Donald DeVore who has spent 30 years of his life working for mobile-home owners and has written a terrific book titled “Mobile Home Wars.” Here is a partial list of the chapters:

CHAPTER-1: THE HISTORY OF MOBILE/MANUFACTURED HOUSING

CHAPTER-4: MOBILE HOME LANDLORD/TENANT LAWS

CHAPTER-7: MANUFACTURED HOUSING ISSUES

CHAPTER-9: HOME OWNER ASSOCIATIONS

CHAPTER-10: LEGAL BATTLES

CHAPTER-11: FINANCING AND INSURANCE FOR MANUFACTURED HOUSING

CHAPTER-13: MANAGEMENT

CHAPTER-14: RENTAL AND LEASE AGREEMENTS

CHAPTER-15: GOVERNMENTAL AGENCIES

CHAPTER-16: LEGISLATION FOR THE FUTURE MODEL MANUFACTURED HOUSING ACT DECLARATION & LEGISLATIVE INTENT

ALL CoMO-CAL members should read it. Donald is RIGHT ON! Here are a few quotes from the book:

- The owners of manufactured housing have one of the biggest voting blocks in the state as a group of people and voters. As a group, you are a sleeping Giant.
- Every community should have a Home Owner Association (HOA).
- Some of the rental communities ..., including very nice ones, were referred to as “Concentration Camps.”
- Currently, Congress and the President are worried about 10-12 million illegal aliens, but they do not have time to help 40 million American citizens who own and live in manufactured housing.
- The Mobile Home Landlord/Tenant Law is a bucket of cow manure. (It is the wrong premise of law to use)

Donald also talks about GSMOL, AARP, HUD, the Rocky Mountain Mobile Home Owners League (which he formed as was president), and much more.

Mobile Home Wars is available through CoMO-CAL. We ask for a donation of at least \$8.50 by email, or \$12.00 for a “hard copy” mailed directly to you. It is in MS word. **EVERYONE SHOULD HAVE A COPY!**

**(RENT HIKE**, continued from Page 4) their excess payments plus penalties. That case is still pending.

The rental board's decision on Wednesday will be retroactive to 2001, which could leave some residents on the hook for \$3,000 or more. The board suggested that the city could either loan or grant the tenants the money to pay back rent. It's just a mess," said Gerri Camara, president of the park's homeowners association. "We have people in this park -- some are retired, there are lots of disabled people, some are on SSI. If you're on SSI, you get \$900 a month. You can't afford that."

### Manufactured Homes, No Longer Mobile, Nor Affordable

*The residents of mobile homes own the roof over their head, but not the ground beneath them. That can cause problems when the rent on the land shoots up.*

By [EVAN McLAUGHLIN](#) Voice Staff Writer

**Monday, July 3, 2006** | Before retiring two years ago, Homer and Virginia Barrs charted out their silver years. They soon realized that they would have to move from their Tierrasanta home to more affordable quarters after losing the steady income Homer Barrs earned as a real estate and mortgage broker.

The Barrses considered moving to another state. Instead, they chose the path traveled by many retirees in order to remain in San Diego: they moved into a manufactured-home park.

The affordability of manufactured-home living in Mission Valley Village provided the opportunity to spend their silver years in the city they adore among other seniors, and just a chip shot away from the Admiral Baker Golf Course.

After purchasing the manufactured unit -- commonly known as mobile homes although most units are now set on concrete foundations like typical single-family houses -- the Barrses replaced it with a new home that included thick plaster walls, a solarium and flowing awnings.

They were set for comfortable, twilight living, except for one thing: The Barrses, like other manufactured home owners, don't own the land below their homes.

That detail has caused significant amount of uncertainty for seniors in every corner of the state who have sometimes faced wild fluctuation in their rents while remaining on relatively fixed incomes of social security, a small pensions or nest eggs.

Since moving to Mission Valley Village, the Barrses' rent has increased from \$485 to \$695 -- a 43 percent jump in two years. The increase spurred Homer Barrs and similarly situated manufactured home owners in the city of San Diego to rally around a proposal to stabilize rents at these private parks, a controversial move that other cities in the region have adopted.

The debate over this type of rent control focuses on the unique arrangement of these land-renting homeowners. If the market for living in a manufactured home booms, it affects both the value of the home and the land underneath. The question centers on who absorbs the increases: the park owner, who then passes it on to his tenant, or the homeowner, who builds up equity with every increase in value.

"We have no qualms with them making money. They have a good investment, they should make money. We just want them to be consistent," said Homer Barrs, who has been chosen by the homeowner associations of eight parks -- a combined 1,500 units -- to advocate the proposal.

Barrs' group hopes to tie rent increases in the parks to San Diego's consumer price index -- a standard that is used to measure inflation in the area. That rate of increase would typically be between 2 percent and 4 percent, as opposed to the 10 percent and 20 percent increases he says his members often see. Park owners argue that controlling the price of the rent hinders their investment while the homeowner is then allowed to soak up all of the new value. For example, (continued on Page 7. **AFFORDABLE**)

(**AFFORDABLE**, continued from Page 6) if rents are artificially low, the homeowner can sell his home for much more if the value of living in that park has appreciated.

"Rent control is a failed economic policy that only benefits the incumbent homeowner," said Sheila Day, the executive director for Western Manufactured Home Communities Association, a political arm for park owners. "It takes the societal burden of affordable housing and transfers it to one segment, the mobile home park owner, and that's not fair."

Rent control opponents argue that restricting the leases can lead to the slumming of rental communities because there is less incentive to maintain the facilities around it. Barrs rejects that argument for manufactured home parks, saying he estimates that \$100,000 is spent on maintenance at Mission Valley Village while the 119-unit park generates about \$900,000 in revenue annually.

Cal-Am, the property manager for Mission Valley Village, did not return calls seeking comment for this story.

Homeowners argue it will be more difficult to sell their homes if would-be buyers find out they'll be paying unexpectedly high rents once they set up shop.

A Bay Area television news report cited an instance where a manufactured home park in Santa Cruz increased rents up to \$5,000 per month, leaving residents with a purchased home, but not enough money to pay for the land beneath it.

The homes, however, are stuck to the land, Barrs said. They may be called mobile homes in some circles, but moving them out of a park that charges too much in rent is a hassle, he said.

"We've got these people who can't move, and if we raise the rent 20 percent, where are they going to go?" he said.

The cities of Chula Vista, Oceanside, Vista, San Marcos, Santee and Escondido currently have rent control ordinances in place for manufactured home parks. A group like Barrs' is also asking the Board of Supervisors to pass a similar law for the unincorporated parts of San Diego County.

Real estate analyst Gary London said that governments have begun to shrug off proposals for rent-control laws in general, but have embraced ordinances that pertain to manufactured homes because they tend to help a more vocal constituency with whose needs they empathize.

"Mobile-home rent control typically targets seniors on fixed incomes, because there are greater political sensitivities to their needs," London said.

Day said that manufactured-home owners shouldn't be looked at as a monolithic demographic of fixed-income, senior citizens.

She argued that a fair housing law forced more parks to accept all demographics, and as a result, people over the age of 55 own about one-third of the nation's manufactured homes when they owned three-fourths of those units in 1988, when the law was passed.

YOUR RIGHTS AND RESPONSIBILITIES AS A MOBILEHOME  
OWNER UNDER THE  
CALIFORNIA MOBILEHOME RESIDENCY LAW

### **Park Rules**

All park rules must be applied evenly and must be honored by both residents and park management. Rules must be consistent with applicable fair housing rules.

A copy of the current park rules must be attached to every rental agreement.

Management must give proper notice of any proposed changes in the current rules and hold a meeting with homeowners. Unless homeowners voluntarily accept the changes, rules other than those applying to recreational facilities can be implemented by management only after a six-month waiting period. The content of any such rules must be "reasonable."

Homeowners have a right to have one pet, subject to management's right to establish reasonable rules for pets.

Management must give 14 days written notice of any rule infraction or condition which must be corrected, before it can charge any resulting costs or fees to the homeowner.

Management can give 14 days notice of its intent to remove belongings on the rental space that violate the park rules or lease agreements. If the homeowner fails to correct the violation, management can remove the property, and store it at the homeowner's expense. After 60 days, management can dispose of the removed property.

### **Park Facilities**

Management is responsible for the overall safe maintenance and operation of the park. Management is responsible for health and safety maintenance of trees anywhere in the park, if the individual homeowner's rental agreement has been renewed since January 2001. A homeowner must obtain permission before planting a new tree. Management is responsible for any driveways it installs. Homeowners are responsible for driveways they install or for any damage they cause to existing driveways.

Homeowners are entitled to an initial written disclosure at the time of purchase from management describing the park conditions such as lighting, utilities, common areas, parking, and playgrounds.

### **Association and Communication**

Homeowners have the right to use park facilities for meetings and to invite public officials or members of homeowner advocacy groups.

On non-commercial issues, homeowners have the right to circulate petitions and leaflets and canvass other homeowners, as long as they observe reasonable hours and reasonable behavior.

Homeowners have the right to display political campaign signs within 90 days prior to an election and 15 days after, as long as the size of the sign does not exceed 6 square feet.

Upon written request, management must meet and consult with a group of homeowners or an individual homeowner regarding park rules, rental agreements, maintenance standards or physical improvements.

## Eviction

- A lease may be terminated only for specified reasons, the most important of which are failure to comply with applicable ordinances or state regulations after receiving a notice of deficiency, failure to comply with park rules after receiving a 7 day notice of violation, or certain criminal acts such as prostitution or drug dealing. A homeowner can also be terminated for being a “substantial annoyance” to other homeowners or residents.
- A rental may also be terminated for failure to pay rent, utilities or other service charges which are 5 or more days late, but only after subsequently receiving a 3 day written notice of this deficiency.
- A notice of termination for any of these reasons must be served 60 days in advance, and must state the factual basis for the termination. The notice must be served on all legal homeowners and lienholders.
- Delinquency rent payments, or violations of park rules, can be cured within three days after the sixty day notice is issued, but not if three prior notices for the same violation have been served within the last twelve months.
- The homeowner can sell the home during the sixty day notice period as long as all arrears are brought current and the transaction is completed during the sixty day time period.

## Purchase and Transfer

- Homeowners have the right to sell a mobile home “in place” through an agent of their choice. Management cannot charge a fee for a sale unless it performs an actual service related to the sale. Written notification that the home is for sale can be required. Management cannot require the owner to allow the park a right of first refusal, unless there is a separate agreement where management pays for this option.
- Management cannot require that a mobilehome be removed from the park as a condition of sale unless the home is significantly “rundown” or past a certain age and in violation of the California Department of Housing & Community Development standards for mobilehome conditions. Repairs to a home to remain in the park can be a condition of sale only if the repairs are for exterior portions, are required by state or local regulation, and are not to structures owned or installed by management.
- Management may require financial qualifications from a prospective buyer and proof that the buyer will not violate park rules. A fee for financial reports may be charged the buyer, but must be credited toward rent if accepted, or refunded at the end of the process if the buyer is rejected by management. Management must accept or reject a prospective buyer in writing within fifteen business days after receiving a completed application. If a buyer is rejected, the reasons must be stated in writing.
- The Statutory Disclosure Form is required for all sales. After October 1, 2004, management must provide a separate disclosure to any prospective buyer, which includes an explanation of the dual nature of ownership, the fact that a lease or rental agreement will be required, and the applicable rental rates and other charges that will apply, as well as the right to a copy of the park rules.
- A legal heir who continues in possession of a mobile home after the registered homeowner dies, must promptly take the necessary steps to legally transfer ownership. Failure to transfer title can result in summary eviction. Park management has the right to require the heir to qualify under the same criteria that would apply to a new purchaser. The heir may sell the home “in place”, as long as all of the obligations of the deceased homeowner are kept current.

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**The above was taken from the Project Sentinel website at <http://www.housing.org/>.** This is a good resource for tenant/landlord information. Project Sentinel is a non-profit agency providing services to help people resolve housing problems.

### CoMO-CAL MEMBER BENEFITS

- **FLYERS ON DEMAND:** We have expanded our printing facilities and can offer printing to our members. So should you need flyers for your park to attack a problem or flyers to recruit new members, just prepare your flyer and email it to us—we will print it **NO CHARGE** and send the number of copies you request. Remember we have several fliers - a Sellers Guide by Clay Harrison, a flier “Age is not a criteria to move your home,” Upgrades upon Sale, and more.
- **LETTERS ON DEMAND:** We now will assist you in writing a letter to address a park problem, whether to your park owner, park manager or neighbor. We will use CoMO-LAC letter head and it will be signed by a board member (Secretary or President). Our hope is this service will save you the expense of an attorney. We will quote the applicable law in an effort to resolve the problem in an amicable manner. Of course the next step probably is having an attorney get involved, but at least you will have documentation
- **SMALL CLAIMS ASSISTANCE:** We will help you file your small claims action and will reimburse you for costs up to \$30.00. All we ask is you keep us informed about the case. Should you prevail and have costs awarded, we ask you to reimburse us.
- **SUPERIOR COURT ASSISTANCE:** Today we have limited funds, but we want to offer legal assistance on a case by case basis this year. **Membership in the LEGAL FUND is \$10.00 per year.**
- **ELECTRONIC NEWSLETTER:** We are offering a newsletter by e-mail to those members who want it, depending whether or not we can get enough to participate. Remember this helps us cut down our costs of printing and postage. Also it saves us quite a bit of time.

Remember these new benefits are in addition to the ones already available to you:

- **NEWSLETTER:** Our newsletter has been well received. It is informative and our way to keep you informed about happenings around California.
- **FREE ADVICE:** We are always available to help with your questions. We have many sources to find answers, from fellow members to non-members to attorneys. As in 2005, part of our budget will go for legal advice - to help answer your questions. We will continue to publish articles on the Mobilehome Residency Law. And we are as close as your phone or computer.
- All of your membership dues and donations go to benefit you, our members. Our staff are volunteers and receive no monetary compensation.
- Although we continue to have monthly meetings, you are not obligated to go to meetings. You can join and sit in your easy chair knowing we are here to help if and when you need our help.
- We have received our 501(c)3 letter from the IRS. This means we are be tax exempt and your donations may be taken off your income tax. Non profit mailing rates are around \$.16, meaning we have more funds for other things. We have already registered with a Resource Center and they will advertise us when we are exempt. You can see this letter has opened a lot of doors for CoMO-LAC.
- We are currently working on building our organization. We need members to step up and take an active role in CoMO-CAL. It need not require much time. We want to publish an “Advisory Staff” in the newsletter, i.e. a group of members who can assist with questions.

**CoMO-CAL THIS AND THAT****by Frank Wodley, CoMO-CAL President****DONATIONS**

We thank our friends at GSMOL Chapter 1819 & 1819A in Glendora (Joy's Mobile Park and Valencia Trailer Park). Their chapter is "folding," and they have donated \$399 to CoMO-CAL knowing that we will put it to a good use. The "Coalition" began with meetings in Joy's in mid and late 2004, so we consider them part of our family. Thanks to Larry, Casey, and the others!

**CONGRATULATIONS**

We congratulate the residents of Villa Del Sol in Hemet. Jim Dean and others have organized their CoMO-CAL chapter—now just under 50% of the park. Their goal is at least 51% so they have a majority of residents in their chapter. We are anxious to see how residents will use their newly formed Chapter.

**MEETING WITH CENTRAL COAST MOBILE/MANUFACTURED HOMEOWNERS ALLIANCE**

I met with the Central Coast Mobile/Manufactured Homeowners Alliance in Santa Maria. Although we have differences, my hope is that they will promote CoMO-CAL to their membership parks. CoMO-CAL has much to offer. The board did purchase "Mobile Home Wars."

**THE VOICE**

If you did not receive THE VOICE in July or any other month prior, please let me know. I will mail you another copy with the August mailing.

**MOBILE HOME WARS** by Donald DeVore

This is a terrific book - I've read it. Mr. DeVore started a state wide advocacy group in Colorado several years ago and has been working hard for mobile home owners for 30 years. He has kindly given CoMO-CAL permission to reprint it and give it to our members. We are asking for a donation of at least \$12.00 for a printed copy mailed to your address, \$10.00 if we hand you a printed copy, or \$8.50 if we email a copy to you. Every mobilehome owner should read this book. It's 52 pages (8.5 x 11 format).

**THANK YOU**

Thanks to Colleen of Valle Verde Courtyard and Beverly of Riviera for their help putting together about 1500 fliers. 900 have already gone out to the central coast area. Thanks to all those volunteers who helped pass out THE VOICE. This really helps cut down the work in the office and establishes contacts within each park.

**ARTICLES/LAWSUITS**

This month we have received several articles from around the southland. We are also very interested in hearing about any ongoing lawsuit or a past lawsuit. Send them ALL to us.

## WAKE UP, SLEEPING GIANT Editorial by Frank Wodley

All mobilehome owners need to realize one thing. What's happening to YOU and your neighbors is NO ACCIDENT. It is part of a **PLAN** by our landlords. And Western Manufactured Communities Association (WMA) plays a major role in this PLAN. This isn't about landowners getting their fair share, this is about greed and power. It is about getting as much from us as possible! It is about taking away our rights and our will.

Abusive managers are part of the PLAN. Lawsuits, challenging rent control and bankrupting cities in the process, are part of the PLAN. When landlords prevent or thwart the distribution of literature - that is part of the PLAN. Many of our clubhouses are closed because landlords DO NOT want us to share information or unite. The closure of clubhouses is part of the PLAN. Attacking "active" residents is part of the plan. Winning over residents who turn against their neighbors, who spy and report to management, and who disrupt any HOA meetings... - this is part of the PLAN. Proposition 90 is part of the PLAN. Yes, I agree 100% with Donald DeVore. We are in a WAR. There is no doubt in my mind.

CoMO-CAL is a real opportunity for mobile home owners across the State of California to organize, unite, have a voice and make a difference. An opportunity like this does not come very often. No other organization in the state is focused on enforcement. Landlords love it! They are challenged here and there, but there is NO UNIFIED CHALLENGE to their PLAN. We are only as strong as your support.

Donald DeVore emailed me the following:

### BONES

*There are 4 bones that make up the structure of any organization.*

*Wishbones: Those who sit around and wish someone would do something.*

*Knuckle Bones: Those who knock everything.*

*Jaw Bones: Those who do all of the talking and nothing else.*

*Back Bones: Those who carry the load and do the work.*

Donald also wrote: "The owners of manufactured housing have one of the biggest voting blocks in the state as a group of people and voters. As a group, you are a sleeping Giant." Well ALL mobile home owners need to wake up. We are all in a similar predicament, that is our bond. We are a family, And we can have power. We can win some battles and eventually the war. We don't have to continue living like we are today! But it does take sacrifice. It does take time and money. None of us want this "war." But **WE MUST DEFEND OURSELVES**. We have no other choice. YOU CAN'T DEFEND YOURSELF ALONE. We can't fight this WAR without an ARMY. If you are reading this and simply putting THE VOICE down to wait until the next issue, YOU ARE PART OF THE PROBLEM. YOU MUST BE ACTIVE. HELP US WAKE UP YOUR FRIENDS AND NEIGHBORS.

**TELL YOUR FRIENDS AND NEIGHBORS ABOUT CoMO-CAL!**

**CoMO-CAL**

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

**MEMBERSHIP APPLICATION (Print Please)**

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

PARK NAME: \_\_\_\_\_ SPACE #: \_\_\_\_\_

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

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

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

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

MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) Membership Dues Not Refundable.

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

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

**L.A. HOUSING DEPARTMENT'S MOBILE HOME PARK TASK FORCE**

This month there was a "shake up" in the membership of the MHPTF. In fact they removed all members and put only those members back that "got along and didn't rock the boat." Of course all three WMA representatives were reinstated, along with two park owners! The LA Housing Department is not on our side. They only want to promote themselves and show they earn their high salaries. Nothing could be further from the truth when it comes to the MHPTF. It actually hurts all mobilehome owners in the City of L.A. The Housing Department only wants "warm bodies" to fill the positions of mobile home owners -

**COLONY COVE - CONDO CONVERSION by Frank Wodley**

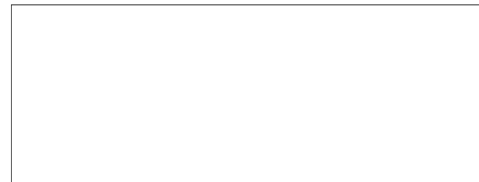
I attended a resident meeting at Colony Cove in Carson to discuss the impending "condo conversion." We have had a previous article about it in THE VOICE. Unfortunately several different factions are trying to take the lead. None really understand the issue well yet. I spoke about CoMO-CAL, but residents were primarily interested in the conversion issue. I've recommended that Colony Cove leadership invite Stuart Parker to come to discuss possible options. Condo conversions are taking place around the state. Another park involved is Ranch Club Mobile Home Park in Buellton.

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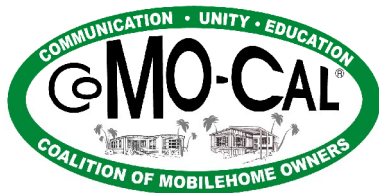


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CoMO-CAL is a non-profit California corporation dedicated to serve mobilehome owners in California.

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

#### SERVICES WE PROVIDE OUR MEMBERS

1. 12 issues of THE VOICE. Usually 20 pages long, filled with important information no mobilehome owner should be without. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected.
2. Website: **comocal.org**. Members have access to all issues of THE VOICE, attorneys who know the MRL, important links to government, advocacy groups, etc.
3. Small Claims Court Assistance: We will pay your fees up to \$30.00 and help with your paperwork. (Some restrictions apply.)
4. Questions / Problems: Our staff is ready to take your call to advise you regarding questions and problems you might have.
5. We have several attorneys to help with litigation or give advice.
6. Above all, a way to UNITE and have a VOICE.

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