



# COALITION OF MOBILEHOME OWNERS

## HOMEOWNERS FORCED TO RETAIN ATTORNEYS

Unfortunately, some park owners are pushing mobilehome owners to the limit! At least two homeowners here in Chatsworth, one in Indian Hills and another in Chatsworth Imperial, were forced to retain an attorney in order to sell their mobilehome as the Mobilehome Residency Law allows. And this is just the tip of the iceberg and has probably been happening for years.

Both mobilehome owners have come to CoMO-LAC. We advised them to retain an attorney. They both are using attorney David Pillemer in Sherman Oaks. As we have written before, the MRL states a mobilehome does not have to be moved from the park if it complies with Health and Safety codes. And this applies to the exterior portion of the home, not the interior.

In one case, the Park backed down after a letter or two, but then the owner received a long list of "repairs" that the park required before the owner could sell. In fact lists of repairs at time of sale are a common occurrence. One real estate agent and CoMO-LAC member has told us that sometimes an owner gets 2-3 lists before the Park is satisfied—a technique that puts much stress on a sale and could result in no sale at all.

In the other case, the one in Chatsworth Imperial, the manager told a senior in her 70's that she had three choices: 1) move her mobilehome out of the park, 2) buy a new mobilehome (at the cost of perhaps \$100,000) from the park and sell it, or 3) sell it and have the buyer move it. The manager further stated "If you buy a new mobilehome from us, you could sell it and get as much as you would if you sold your old mobilehome." When she asked why she had to comply, the manager replied "Don't you know how to read the MRL?" Please note **this ladies mobilehome is a double wide** in good condition, not a single wide most parks are trying to remove from their parks. **THIS PRACTICE MUST STOP!**

Most of us have no clue what might happen when we go to sell. Life in our parks is made difficult enough by management. If a park wants to interfere with your sale there are several ways the park can make your life miserable. The park can decide not to let you sell and want you to remove your mobilehome, or the park may allow you to sell but make your buyer move your mobilehome. Here, locally, a manager pressured three owners by calling HCD to inspect their homes, and later sent these three residents letters. One stated "An inspection was requested by the owners of the Park on several homes recently. Yours was one of them and a copy of the findings (HCD health and safety violations) is attached. (See Page 3 HOMEOWNERS)

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## DON'T LET PARKS SILENCE OUR VOICE

Communication by residents within our own parks is critical. Park owners and managers often hinder the distribution of flyers by resident advocate organizations. Just read on:

### **MANAGEMENT CLAIMS SOLE USE OF MAIL TUBES/ MAIL RECEIPTICLES, ETC.**

As an example, take written announcement of October 10, 2005 **by TPA Management**, the management company of Tradewinds in Rosamond (100 miles north of Los Angeles):

"We have received complaints from a number of residents regarding letters from other residents who are inserting them into their mail tubes. Please note that the tubes were installed for convenient distribution of MANAGEMENT correspondence, newsletters, and rent statements. Since we can't control what non-management correspondence is put in your mail tube, we suggest you contact the resident who put their unwanted correspondence in your tube and tell them to refrain from doing so in the future."

In Chatsworth Mobile Home Park (located in the San Fernando Valley), there has been a continuing battle with management over the use of "black mailboxes," not to be confused with our regular mail delivery mailboxes. These were attached to our homes by the park about 15 years ago. Few if any residents gave their permission. Now the park has new rules and regulations stating: Park Management has attached a small black box to each home for the **sole use** of Park Management in communicating with Residents, e.g., delivering rent statements

### **MANAGEMENT CLAIMS FLYERS ARE A SOLICITATION**

No one wants to receive a solicitation—defined as a flyer for commercial purpose. Most parks have a sign at the front entrance excluding solicitation in their park. Of course this still happens occasionally; however advocate organizations, such as CoMO-LAC, have every right to distribute information about mobilehome issues. This is our First Amendment Right. It is also noted in the Mobile Home Residency Law as follows. 798.51(A)3 **No provision** contained in any mobilehome park rental agreement, rule, or regulation **shall deny** or prohibit the right of **any homeowner or resident in the park to** do any of the following: **Canvass and petition homeowners and residents for noncommercial purposes relating to mobilehome living**, election to public office, or the initiative, referendum or recall processes, at reasonable hours and in a reasonable manner, **including the distribution or circulation of information.**

One park owner wrote the resident advocate:

**"SOLICITATION:** Note your R&R. Once again I am hounded by residents as to why this resident is allowed to use the Parks black boxes to advertise his 'new business.' The Manager was not approached by him to receive approval for his letter using our park name to gain your attention. Approval is most often given to handouts by Management when it can be of benefit or of interest to some in the Park and is delivered to EVERY RESIDENT per our rules and not just a select few. I realize you are fearful of seeing once again, the divisiveness return because of the efforts of a few. A letter from the Park Owner was hand delivered to this resident telling him he must cease his unapproved activities and use the U.S. Postal Service. "

One common tactic management uses is to put out misinformation. They may do it by stating the MRL code, then coming up with their own conclusion. Let reason prevail! Why must a flyer be approved? And what residents want the park to decide what is beneficial or of interest to them? Also flyers DO NOT have to be distributed to all residents— where in the MRL does it state that. (Please see Page 3 SILENCING OUR VOICE)

(Continued from Page 2 SILENCING OUR VOICE)

**MANAGEMENT LIMITS THE USE OR CLOSES THE CLUBHOUSE**

How do parks restrict the use of the clubhouse? There are several ways.

1. Say there was vandalism and the clubhouse has to be closed.
2. Say the clubhouse is open or is available; however all the while the clubhouse doors are locked and essentially no residents use it except for those in favor who can use it for their parties, meetings, or events. (But it is available, as park owner know, which follows the wording in the MRL.)
3. Make residents "reserve" the clubhouse two weeks in advance and pay a deposit. And often times the park does not openly display a calendar showing what dates are open.

As a result, residents stay away from the clubhouse. If they have an organization, they must meet in someone's mobilehome or outside the park. Today there is a bill in Sacramento (Coto - AB 954) to prohibit management from attending homeowner meetings. Why? Because management often comes to monitor such meetings. Often management or their friends will try to discredit or attack the resident

advocate in the park. This may be done by telling new residents that the advocate is a trouble maker, he doesn't follow the park rules, or he has some personality problem—like he drinks, abuses his wife and kids, is a "peeping tom" or the like. Management will not talk about issues we might have. How can they attack based on the issues when the issues are valid? So they attack the "messenger."

**BOTTOM LINE.** Be aware management is happy to restrict your Constitutional Rights and those you have under other laws, such as the MRL. When dealing with management, put everything in writing. **And question, question, question anything that management tells you.**

(HOMEOWNERS, Continued from Page 1)

There is an urgency regarding these Violations so as soon as possible please arrange to have them taken care of within 45 days of this date. We understand your home is for sale so we have to advise prospective buyers of the report from the HCD. These violations need to be taken into consideration by yourselves, your agent and any prospective buyer looking for approval to become a resident in our Park. The owners of the Park are upgrading the older homes as they become available for sale with new ones so if you wish to contact us regarding a possible sale for you on an 'as is' basis I can put them in touch with you."

So why do parks want us to remove our older mobilehomes? CoMO-LAC believes the bottom line is money. If the park can get you to remove your mobilehome and leave, they make out at least two different ways. First, if there was rent control, it goes with the mobilehome and the park owner can now charge anything he wants for the space rent. Secondly, they have a valuable space. In most areas there are no spaces for new mobilehomes. Supply and demand comes into play. If they put \$100,000. into new mobilehome, they can make \$30,000-\$40,000 extra when they sell it. Easy, huh!

This can happen to anyone who owns a single-wide mobilehome—even a double wide as was the case above. You need to know that the law DOES NOT GIVE THE PARKS THE RIGHT TO HAVE YOU MOVE YOUR MOBILEHOME! They must prove first that it does not meet Health and Safety codes, then give you a chance to bring it up to code. (We continue to research for inspectors who are honest and responsible - we will try to have links to them on the website and in the newsletter soon.)

**SENATE BILL SB 237 BY MIGDEN PROHIBITS AGREEMENT TO INCLUDE  
RIGHT OF FIRST REFUSAL FOR PARKS TO BUY YOUR HOME**

Senate Bill SB 237 **prohibits** a rental agreement in a mobilehome park entered into or renewed on or after January 1, 2006 from including a provision that would grant the management of the park the right of first refusal to purchase the homeowners' mobilehome for sale to a third party. Specifically, this bill provides the park owner or management and homeowner of a mobilehome park may enter into a separate agreement which would grant the park owner or management the right of first refusal.

There are approximately 4,850 mobilehome parks and manufactured housing communities in California providing spaces for an estimated 675,000 residents. According to the Senate Select Committee on Mobile and Manufactured Homes of the rental agreements their office has reviewed in the past, an estimated one third include a clause granting the park management a right of first refusal to purchase an owner's mobilehome. A right of first refusal in a rental agreement requires the mobilehome owner to inform the park when they receive a legitimate offer from a third party and provide the park a copy of the offer and a period of time to respond with a matching offer. If the park chooses not to match the offer the homeowner can accept the offer from the third party if they are still interested.

According to the sponsor this bill is needed to prevent abuses that arise when rental agreements give park owners the right of first refusal. Prospective buyers may be deterred because of the delay caused by the park's right of first of refusal could range up to 10 days. Additionally, in mobilehome parks the buyer of a mobilehome must negotiate the rental price of a space with the management while simultaneously purchasing a mobilehome from an individual in the park. In a park in which the management has a right of first refusal, the park could abuse this relationship by offering unfavorable lease terms and making the purchase of the mobilehome less attractive to drive the purchaser away and the price of the mobilehome down.

Supporters also argue the park owner has an interest in including the right of first refusal in their leases to guarantee their ability to purchase the mobilehomes in their park. If the owners of the mobilehome parks also own the homes within the park, then they are exempt from certain burdens of the Mobilehome Residency Law, such as rent control. Through another scenario, the park owner could purchase all of the mobilehomes in a park and eventually be renting fewer than two mobilehome spaces making the property no longer a mobilehome park by legal definition. As a result they would no longer have to provide rent control, could close their park and change it to another use and effectively diminish the amount of affordable housing.

**Staff Comments**

Although leases are theoretically a negotiated contract, mobilehome owners have little negotiating power to keep the right of first refusal out of a lease agreement. Mobilehomes are not really mobile and residents are forced to accept the terms of a park owner in a lease agreement. This bill seeks to ensure any right of first refusal is truly negotiated and not a part of a boilerplate rental agreement.

Supporters of the bill were: Golden State Manufactured-Home Owners League (Sponsor), AARP California and Western Manufactured Housing Communities Association (WMA). There was no opposition.

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### GOVERNOR VETOES FOUR BILLS

Governor Schwarzenegger has vetoed all four of the following bills. All were introduced to help mobile-home owners: SB 40 (Dunn) - Park Receivership, SB 106 (Dunn) - Park Inspections, SB 198 (Lowenthal) - Mobilehome Installation Standards, and SB 765 (Dunn) - Sewer dumping from permanent buildings

In the Assembly, several bills have not passed and have been made two year bills, with the hope that they could get additional support in order to pass. Those bills are AB 197 (Umberg) - Right of First Refusal to Buy Park, AB 396 (Lieber) - Park Conversion to Another Land, AB 791 (Lieber) - Extending Conventional Tenancy Rights, AB 954 (Coto) - Park Managers at Homeowner Meetings, AB 1469 (Negrete-Mcleod) Park Manager licensing. Our friends up north were instrumental in getting Sacramento to look at licensing managers. Mr. Jim Burr will have an article on this subject in an upcoming newsletter.

Editor's Note: I will not detail each bill at this time, perhaps in another newsletter - if you want more information, call me, or go online and "google" each bill to get additional information. **By the way, SB 237 on the previous page was passed and signed by the Governor. It will take effect on January 1, 2006.**

### MEETING IN GARDENA

On October 15, 2005 CoMO-LAC attended a homeowners meeting in Gardena. Gardena Villas is getting a large rent increase and Gerry Noel is leading the fight for her park. In the process CoMO-LAC has gained new friends and members. After the homeowners meeting, there was a very fruitful session with Gerry Noel (Gardena Villas), Leo and Karen Lewis (Knoll's Lodge-Torrance), Frank Wodley, and Leonard Duncan (Harbor City). Leo and Karen Lewis are having to deal with a horrible situation in Knoll's Lodge. Their rents are about \$1000.00 per month, yet the condition of the park is deplorable. Garbage everywhere. They say they can't sell their mobilehome, no one wants to buy. So what are their options? Really the only option is to stay and work to make some improvements in the park. Karen is running for their president of the homeowners association. Watch for an update in January 2006.

### NAME FOR NEWSLETTER

As we have written previously, we have been looking for a name for our newsletter. Jaye in Canoga Mobile Estates has sent us many suggestions - thanks Jaye. The light came on and now we feel the name is obvious. "**THE VOICE**." For the simple reason that mobilehome owners now have a voice! Our policy has been and continues to be - send us an article. It could be about your park, or about a mobilehome issue. If you have a comment about our name, we will hold off for a month or two before making an official decision as to the name.

### ARE YOU RECEIVING THE NEWSLETTER OKAY?

**Please let us know if you have not received your newsletter.**

**This is the only way we will know you have not gotten it. Call Frank.**

## UPDATES AROUND THE SOUTHLAND

### **Las Encina in Ventura - by Kathy Mattes**

The concrete block wall on the park side of the barranca at Canon de Las Encinas is finally in place and the earth behind the wall has been refilled and compacted. However, the project is not complete. Fencing (preventing a 14 foot drop) and planting of trees remain before California Fish and Game and Housing and Community Development (HCD) will endorse the project as completed. At least the park residents, especially those in the mobilehomes on the perimeter, are better protected from the damage that can be caused by water rushing through the barranca after a storm like last winter. The original wall, made of large rectangles of steel plates bolted together and restrained by vertical galvanized pipes, buckled under the force of the raging storm water contained by the barranca. Mobilehome owner David Shackle and park manager Gabriel Espinoza worked furiously to shore the plates with added galvanized pipes to prevent the further erosion of the land beneath David's mobilehome. As typically occurs the near tragedy united the residents. With support from CoMO-LAC a strong residents association formed with a large majority of members. It is unfortunate, but typical, that it takes a problem to rally residents together as a united front. It is only since summer this year that residents have united and slowly but surely are making Las Encinas a better place for its residents to live. The association has made progress in obtaining compliance of the Mobilehome Residency Law by the park owner. There is still a very long list of maintenance and improvements needed and however slow progress is made, it is better than status quo or regress. Readers, you need to unite to prevent problems from getting out of hand. If you do not have a homeowners association in your park, you need to organize one.

### **Northridge Mobilehome Park**

Now with Carol Mabus going, someone needs to step up and take a leadership role in Northridge. We have written about the decision by the PUC regarding maintenance and upgrades to utilities in parks. Anna Ortega has been notified of this decision. Someone should follow-up with the City Attorney and Anna Ortega of the L.A. Housing Department to see if this means the passthrough should be disapproved.

### **Tradewinds Mobilehome Park in Rosamond (Edwards Air Force Base)**

Things are quiet and management is even being nice these days. Residents have Lucille Fried to thank. Her letter writing campaign and "dirty dozen" newsletter has made a difference. We need more like Lucy!

### **Oakridge Mobilehome Park**

CoMO-LAC has written the "resident" who attacked us at the last meeting before about 100 Oakridge residents. This resident, a board member of the Chatsworth Chamber of Commerce, also filed a complaint with the Chatsworth Chamber of Commerce. The Chamber decided not to get involved, but is writing a formal letter to the effect that CoMO-LAC is a member in good standing. It turns out that this "resident" owns a carpet business less than a block from Chatsworth Mobilehome Park and obviously has ties with the Chatsworth Mobilehome Park (where Frank Wodley lives). We gave him a chance to tell his side of the story, but he has not replied to our letter. This further shows us that his intentions were not honorable, but a typical attack against an organization trying to help mobilehome owners and do some good. It is beyond reason why resident organizations are attacked, even by residents themselves. But this is a fact of life. Some decide to be pro-management for a variety of reasons, not the least of which is favorable treatment by management. These residents hurt us all and in the end hurt themselves also!

## Landlord refuses to get involved in tenant feud

<http://www.latimes.com/classified/realestate/printedition/la-re-law9oct09.0,2410321.story?coll=la-class-realestate>

By Robert J. Bruss Special to The Times October 9, 2005

Joel Andrews and William Molyneux leased adjacent spaces at the Mobile Aire Estates mobile home park. Over the years, these neighbors made about 50 calls to the local police because of various disputes.

In January 2001, Andrews complained to the mobile home park manager that Molyneux had repeatedly splashed mud on his newly washed car, aimed a video camera into his living room and subjected him to racial epithets and other verbal abuse.

Andrews also alleged his neighbor drove down the middle of the park street, forcing him to swerve and nearly run his car into a mobile home. A month after the complaints were filed, the two had an argument about fencing that escalated into an altercation and battery upon Andrews.

Andrews sued Molyneux and the mobile home park landlord. The court ruled Molyneux was liable for \$12,502 in assault damages to Andrews. But the landlord argued he should not be liable for damages because the park manager advised the neighbors to call the police when problems developed.

If you were the judge would you rule the landlord can be held liable for failing to act after repeated complaints involving these tenants? The judge said yes. When a tenant enters into a rental agreement, the judge said, there is an implied covenant of quiet enjoyment included. This means the landlord has a duty to prevent problems between neighbors, he said.

"Minor inconveniences and annoyances are not actionable breaches of the implied covenant of quiet enjoyment. To be actionable, the landlord's act or omission must substantially interfere with a tenant's right to use and enjoy the premises for the purposes contemplated by the tenancy," the judge said.

"The perpetrator of the interference with the tenant's quiet enjoyment need not be the landlord personally," he emphasized. A landlord can obtain an injunction against a tenant who is seriously disturbing another tenant, or the landlord can evict a resident who "constitutes a substantial annoyance to other homeowners or residents," the judge ruled.

Although the landlord is not liable for the tenant's assault, the landlord cannot disregard the conduct of a tenant who repeatedly disturbs the quiet enjoyment of a fellow tenant, the judge concluded.

*Based on the 2005 California Court of Appeal decision in Andrews vs. Mobile Aire Estates, 22 Cal.Rptr.3d 832.*

### OUR RENT UNDER THE L.A. RENT STABILIZATION ORDINANCE (RSO)

First Select Your Monthly Rent Paid in 1995	This is Your Monthly Rent in 2004 if increased using only CPI	This is Your Monthly Rent in 2004 if increased using only 3.00%	This is Your Monthly Rent in 2004 if increased using only 5.00%	Total Extra You Paid Over 10 Years  CPI VS 3.00%	Total Extra You Paid Over 10 Years  CPI VS 5.00%
\$300.00	\$380.19	\$403.17	\$488.67	\$2,082.00	\$7,118.00
<b>\$350.00</b>	<b>\$443.56</b>	<b>\$470.37</b>	<b>\$570.11</b>	\$2,429.00	\$8,305.00
\$400.00	\$506.92	\$537.57	\$651.56	\$2,776.00	\$9,491.00
\$450.00	\$570.29	\$604.76	\$733.00	\$3,211.00	\$10,677.00
\$500.00	\$633.65	\$671.96	\$814.45	\$3,470.00	\$11,863.00
\$550.00	\$697.02	\$739.15	\$895.89	\$3,817.00	\$13,050.00

### WHAT THIS MEANS TO YOUR RENT?

Take for example, you paid \$350.00 rent in 1995, you can use it to figure what you would be paying in 2004 based on the actual CPI, 3.0% (RSO in LA) and 5.0%. In 2004 under the CPI your rent would be \$443.56, under RSO it would be \$470.37, and if you were not under rent control and your park had 5.0% rent increases, your rent in 2004 would be \$570.11—an increase of \$126.55 over the CPI.

So what does this mean? **Landlords here in LA, as a consequence of rent control, have gotten an average of about \$3,000.00 (over the 10 year period) over the CPI.** And if you were not fortunate to be in a park with rent control, **your landlord could have gotten \$10,000 over the 10 year period—based on hypothetical annual rent increases of 5.0%.**

### WHAT ABOUT THE VALUE OF YOUR MOBILE HOME?

We estimate that for every \$100.00 extra in rent you pay, the value of your mobile home decreases about \$10,000. (Clay Harrison in his "Sellers Guide" stated for every \$10.00 in rent it is decreased \$1,000. in value) This means in addition to paying higher rents as a consequence of the 3.0% minimum annual rent increase allowed by the RSO, the value of our homes has decreased about \$3000.00 in value (CPI vs. 3.0%) and about \$13,000 in value (CPI vs. 5.0%).

So believe that a small percentage change in your annual rent increase does make a difference over the years. **Both in the rent you pay and the value of your property!**

CONSUMER PRICE INDEX FOR LOS ANGELES 1990 THROUGH 2005

Mo.	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Jan.	6.0%	6.0%	3.1%	3.4%	2.0%	1.4%	0.9%	2.2%	1.2%	2.0%	2.3%	3.8%	2.7%	3.5%	1.8%	3.7%
Feb.	6.5%	4.7%	3.6%	3.5%	1.5%	1.5%	1.1%	1.9%	1.2%	2.2%	2.9%	3.6%	2.7%	3.6%	1.9%	3.8%
Mar.	6.6%	<b>3.9%</b>	4.2%	3.0%	1.8%	1.4%	1.7%	1.6%	1.0%	2.2%	3.5%	3.2%	2.8%	3.9%	1.8%	4.0%
Apr.	5.5%	4.8%	3.6%	2.8%	1.7%	1.4%	1.9%	1.4%	1.2%	3.0%	2.4%	3.5%	3.2%	3.0%	2.3%	4.8%
May	4.9%	4.6%	3.7%	2.8%	0.9%	2.4%	1.5%	1.3%	1.8%	2.4%	2.9%	3.7%	2.9%	2.1%	3.7%	4.2%
June	4.9%	4.3%	3.8%	2.4%	1.1%	2.3%	1.2%	1.7%	1.8%	2.0%	3.4%	4.6%	1.7%	2.4%	4.0%	3.6%
July	5.1%	4.4%	3.7%	2.1%	1.3%	1.8%	2.0%	1.2%	1.6%	2.3%	3.6%	3.8%	2.2%	2.3%	3.8%	4.1%
Aug.	5.7%	4.0%	3.7%	2.0%	1.4%	1.6%	1.9%	1.5%	1.8%	2.3%	3.5%	3.6%	2.6%	2.1%	3.3%	5.2%
Sep.	5.8%	3.6%	3.4%	1.9%	1.7%	1.2%	2.3%	1.5%	1.3%	2.8%	3.6%	3.2%	2.6%	2.6%	3.3%	
Oct.	6.7%	3.0%	3.8%	1.7%	1.7%	1.2%	2.3%	1.4%	1.3%	2.5%	3.9%	2.6%	3.0%	2.2%	4.5%	
Nov.	6.8%	3.3%	3.3%	2.3%	0.9%	1.0%	2.6%	1.5%	1.7%	2.3%	3.8%	2.7%	3.3%	1.7%	5.2%	
Dec.	6.6%	2.8%	3.6%	2.5%	1.0%	0.8%	2.4%	1.8%	1.4%	2.3%	3.7%	2.1%	3.7%	1.8%	4.4%	
<b>AVERAGE/YEAR</b>						<b>1.5%</b>	<b>1.8%</b>	<b>1.6%</b>	<b>1.4%</b>	<b>2.3%</b>	<b>3.3%</b>	<b>3.4%</b>	<b>2.8%</b>	<b>2.6%</b>	<b>3.3%</b>	

The figures above represent the CPI for each month between 1990 and 2005. For example, the CPI for March 1991 was 3.9%. Can you find it? It is in bold. The CPI for the year 2004 is 3.3% (Look for the underlined figure under 2004). This average is taken by the L.A. Housing Department as the basis for the annual rent increase in the City of Los Angeles. Note the increase is around 1.5% for 1995 thru 1998—this means the park owners got an increase in rent double the CPI for 1995 through 1998. Since 2000, the CPI has leveled off around 3.0%. We have received a 3.0% rent increase for 11 straight years. But watch out for 2006, as you can see the monthly average is about getting closer to 4.0%. Fortunately for us it has already been determined by the Housing Department that **the increase for July 1, 2005 through June 30, 2006 shall be 3.0%** This means a 3.0% increase again through June 30, 2006.

UPDATES ON CHATSWORTH IMPERIAL'S "EXCESSIVE" RENT INCREASE

In our September Newsletter it was reported that we "identified the excessive rent increase in Chatsworth Imperial and are currently working on another in Indian Hills." Since that time our research has shown that the 4.0% given some residents in Indian Hills is reasonable. Why? Because some residents, if not all, have signed long term rental agreements with the park and are no longer under the Rent Stabilization Ordinance. Of course had they not signed long term leases, their rents would have increased only 3.0%

Chatsworth Imperial is another story. In fact the 3.3% given to most residents is EXCESSIVE and should have immediately been changed to 3.0% This is not the first time residents there have received an annual rent increase larger than that allowed by the L.A. Housing Department under the RSO. They received 3.2% in 2003. We are still researching whether or not this increase can be rolled back.

At the time of this writing at least some residents have received an adjustment from management to correct the 3.3%. Richard Ramirez, our representative in Chatsworth Imperial, distributed flyers in the park and CoMO-LAC had a residents meeting to discuss this situation and alert residents.

CoMO-LAC IS MAKING A DIFFERENCE

LET US KNOW WHAT'S HAPPENING IN YOUR PARK

**EDITORIAL AGAINST RENT CONTROL BRINGS DELUGE OF LETTERS**

The following article is from the North County Times Advocate, Tuesday October 11, 2005

*By: North County Times Editorial Staff - Our view: Oceanside's mobile homes are a good deal for tenants that the rest of North County is paying for.* Rent control is great if you have it. For everyone else, rent control only exacerbates housing shortages like that gripping North County. Price caps don't solve the larger problem, but merely create classes of winners and losers ---- and the losers always outnumber the winners.

In Oceanside, last week's loser appeared to be John Grant, the owner of Catalina Mobile Estates, whom the city punished for the crime of charging his tenants rents they were willing to pay - prices that followed the laws of supply and demand but not the city's rent control ordinance.

Grant stands accused of overcharging a dozen tenants at his mobile-home park along the Coast Highway. By contrast, Oceanside and other North County cities with rent control are overcharging thousands of their renting residents and taxing unlucky landowners so that a lucky few tenants can enjoy artificially low rents .

Aren't low rents for poor and elderly people in Oceanside a good thing? Yes, but rent control ordinances supply them to only a sliver of North County's poor and elderly. The mass of renters, rich and poor, pick up the tab; while Catalina residents, for instance, enjoy below-market rents on the pads beneath their mobile homes, the rest of North County's renters make up the difference in inflated rents because the market is just that much smaller. Price caps like rent control always create such shortages.

Rent control also takes wealth from landowners by depriving them of the prices justified by the market. That makes landowners leery of investing in more affordable housing, which in turn makes the housing shortage worse. And shortages push up prices for everybody who wasn't lucky enough to snag a rent-controlled unit. In protecting some, governments that opt for rent control expose the many to an artificially inflated market.

With rents inching higher as homeownership vaults out of reach for many, the episode stands as a reminder that city councils who turn to rent control end up hurting their poor and working-class residents.

*The above article was an EDITORIAL written by the North County Times Editorial Staff*

**READ WHAT THE TIMES READERSHIP HAD TO SAY!**

Jerry wrote: **Editorial manipulates truth.** Over the past 20-plus years I have read several editorials in this and other papers that are grossly biased, devoid of any fact and just plain disgusting. Your Oct. 11 editorial, "Rent control constricts housing market," is another such miserable manipulation of fact/truth. In the 1980s, this paper investigated pros/cons of rent control thoroughly and, in the end, supported our rent-control efforts.

I live in a beautiful resident-owned mobile-home park in Escondido. My HOA cost of \$107 per month includes all park expenses, sewer, water and trash.

Across the street live homeowners in a rental park. Many of them pay over \$600 a month for rent only, to live in their own home amid Third World conditions and have no rights. (See **EDITORIAL** on Page 11)

(EDITORIAL continued from Page 10)

The Oceanside park in your article is similar whereby "homeowners" pay \$600-plus a month "to live in their own home." Renters own nothing and can/do move; homeowners cannot. Since this paper pays anonymous people to write this undocumentable fiction, I would challenge you and/or your paid writer to debate the facts again, in public, anytime, anywhere. Gerald Lenhard, Escondido.

Tim wrote on **October 14, 2005 12:31 AM**: "[North County Times Way Off Base](#) For a publication that professes to have its finger on the pulse of North County, a recent editorial by the North County Times regarding Mobilehome Rent Control demonstrated an amazing lack of sensitivity and understanding of the issue. The Times deserves a bushel full of raspberries for its reckless stance. The Times fails to appreciate the precarious nature of owning valuable property "permanently" affixed to some else's land. Manufactured-home (mobilehome) owners provide the housing, not park owners. Park owners provide a patch of dirt for the home to set on and the homeowner is responsible for the costs of maintaining the home, utility usage and landscaping. It is disingenuous to compare mobilehome space rent to that of other rental situations. Mobilehome owners are trapped-captive customers with very limited ability to relocate their homes. Conversely, apartment dwellers can "move-out" if living conditions become intolerable. Rent stabilization (control) IS a good thing not only for those homeowners protected by such ordinances, but it also helps bolster the local economy and tax base. For every dollar rent is increased, homeowners have one less dollar to spend in the local economy, money that otherwise goes to park owners who rarely live locally. If rents increase to unfair levels, homeowners are often forced to seek governmental subsidies, creating an added burden to tax payers. Unlike the real estate and stock markets, rent stabilization ordinances provide park owners a fair and just return on their investment. Even in regulated areas, many park owners receive 50% or more return on their investment year after year. Do your investments perform that well? There is no such thing as a "fair market" within a monopoly having virtually no market forces! Without rent protections, homeowners are helpless prey to the monopolistic whims of unscrupulous park owners. As outrageous as gasoline prices have become, there are at least some market forces that could lead to a decline in fuel prices. Such is not the case in mobilehome parks; rents typically only go UP. Consider what the price of gasoline would be today if you could only buy gasoline at one designated station closest to where you live and the station operator knew he had a captive market who couldn't go elsewhere. Some stations might charge reasonable prices while others might charge \$10 per gallon, or more. That is what unregulated mobilehome parks are like. There are some good and decent park owners but; unfortunately, many millionaire park owners focus only on maximizing profits with no regard to the plight of homeowners. In areas of San Diego County where no rent protections exist, dirt spaces that rented for less than \$100 per month thirty years ago now exceed \$950 per month, surpassing the monthly income of many homeowners. Residents have been economically evicted from the homes they own because of park owner greed; plus, the high rents have made many homes unsellable. That is what could happen in all areas of the county if mobilehome rent protections are not preserved. Tim Sheahan Volunteer Homeowner Advocate State Board Member-Golden State Manufactured-Home Owners League San Marcos 760 727-4495

Gordon wrote on **October 21, 2005 3:53 PM**: "I'm glad to see your editorial on Mobile Home Rent Control! It clearly expresses the greed and lack of compassion on your editorial staff...and their ability to twist the facts to support that greed. I'm sure other low to moderate income folks and seniors on fixed incomes were happy to know they can count on you for NOTHING! "

HELP US HELP YOU

We are still young and we need your support to grow, and mature. You CAN help us—**IT IS SIMPLE**.

1. We have included a coupon for a “**COMPLIMENTARY NEWSLETTER.**” Surely you have a friend or neighbor who would enjoy and benefit from reading the newsletter. If so, please give them the coupon. Hopefully they will want to join after reading it—knowing that their money is well spent and going to an organization that is **ALREADY MAKING A DIFFERENCE**.
2. Our goal is to reach as many mobilehome owners as possible, for several reasons. Greater membership means a stronger CoMO-LAC, and one that will be able to better serve YOU, our members. So everyone wins. Your friend or neighbor will become part of our family. They will realize that there is a campaign to take advantage of them, and that they are vulnerable and a target when they do not know their rights. (We feel park owners target those who are the weakest!) CoMO-LAC members are no longer alone and help is just a phone call away. And who doesn't enjoy reading the newsletter - now you have an idea what MRL, WMA, MHPTF, RSO, etc mean!
3. We intend to continue to mail “flyers” about CoMO-LAC into parks through out Los Angeles and surrounding areas. This takes money, time and effort. You can contribute in several different ways. Send us a donation marked “mailing fees.” Remember, every \$15.00 let us reach 60 (100 when we get our tax exempt status). Or **VOLUNTEER** your help at one of our “parties” to put together the flyers.
4. **COMMUNICATION** is still key. This means you can help us by **communicating with us**. Give us a call, send us an email or letter. Let us know what’s happening in your park, what your concerns and needs are, suggest we add something to the newsletter, or take something out, etc. **THERE WOULD BE NO NEWSLETTER IF MEMBERS DIDN’T COMMUNICATE WITH US! And we are very grateful to those who do communicate.** (Lucy, Jean and Peter, Jerry L., Sandy, etc).
5. **RENEW PLEASE.** This shows us that we are doing a good job and you support us. Just think if we were no longer around. So your renewal is very important to CoMO-LAC and its future.

DECEMBER 2005 CoMO-LAC MEETING SCHEDULE

**DECEMBER 10th - SATURDAY.** Board of Directors Meeting. . Chatsworth Metrolink Train Station. 10:00am. Chamber of Commerce Meeting Room, 10038 Old Depot Plaza Rd, Chatsworth (West of Canoga Ave, South of Devonshire Ave).

**DECEMBER 11th - SUNDAY.** 1:30PM Support CoMO-LAC. Help put the newsletter together. Bring your friends. Socialize with other mobilehome owners, ask Frank some questions, help staple, fold and collate. It will be fun. Space #31, Chatsworth Mobile Home Park, 21500 Lassen Street, Chatsworth.

**DECEMBER 18th - SUNDAY.** 1:30 PM Help put flyers together. Bring your friends. Socialize with other mobilehome owners, ask Frank some questions, and help staple, fold and collate. It will be fun. Space #31, Chatsworth Mobile Home Park, 21500 Lassen Street, Chatsworth.

**DECEMBER 19th - MONDAY:** San Fernando Valley CoMO-LAC Meeting 10 am. Chatsworth Chamber of Commerce Meeting Room. Chatsworth Metrolink Train Station

**ANSWERS TO MEMBERS QUESTIONS**

**Question:** Norma from Sunburst called "I haven't received the newsletter yet. Are you still in business?" **Answer.** Yes Norma, CoMO-LAC is alive and well. Norma called on November 2nd and felt she should get it on the 1st. And she's right! Unfortunately bulk mail takes up to three weeks to deliver. We try our best to mail it to you so it will get to you about the 1st of the month. This means mailing it three weeks prior to the first, at least for areas outside Los Angeles. Who knows what happens then, you could get it two weeks early or maybe a week late. It is out of our control. Maybe we can mail it earlier so you receive it on or before the 1st. Norma, we'll try that, okay?

**Question:** I need an attorney versed in mobilehome law. Can you advise?

**Answer:** If you have a computer you can go to "comolac.org" and click on Legal to get a list of attorneys here in the Los Angeles area. There experience and expertise is varied. Some are good for letter writing, others for litigation. Call us and we will try to steer you in the right direction.

**Question:** Can management decline a prospective buyer because of a CREDIT REPORT?

**Elaine Hostetter of SCMOA writes:** MRL Section 798.74 (a) states "Approval cannot be withheld if the purchaser has the financial ability to pay the rent and charges.....etc". The word "has" seems to indicate a person's PRESENT financial ability. Section 798.74 (b), however, speaks to financial reports and credit ratings obtained by management for purposes of approval. It would seem therefore, that if an applicant's adverse credit history is fairly recent, a park owner would be within his rights to decline residency. On the other hand, if an applicant can show proof that he has cleaned up his act and that the adverse credit history is also ancient history, he might have grounds to protest. Would this prospective tenant go into court on the chance that a judge might rule in his favor? Doubtful, isn't it? Muddy waters, like so much else in the MRL.

**Clay Harrison of Sacramento writes:** Let us not overlook that management must, if the prospective homeowner is rejected, respond in writing, the reason for rejection.

**Kate Davis of Sacramento writes:** All parks with whom I've done business in the Sacramento area run credit reports on all adults who intend to live in the home, even if not on the title as an owner. They do deny tenancy to anyone with an "unsatisfactory" credit report, usually refusing to cite the specific reason. Most parks will not even give the prospective buyer(s) a copy of the report that is being used to deny tenancy, but merely inform the buyer(s) to request a copy themselves from the credit reporting agency. Then, the buyer(s) must guess what was used against them.

**Editor Adds:** In the case of the Tradewinds MHP, management simply checks a box which states that the applicant was not approved because of something in the credit report. We have heard of parks often not approving prospective tenants, even those paying cash for their mobilehome. We feel this serious form of interference of sale. Both the seller and buyer could take the park to court!

**CoMO-LAC THIS AND THAT FOR DECEMBER 2005**

1. CoMO-LAC now has more members in the Antelope Valley than any other mobilehome owners organization. In fact now the Antelope Valley has their own CoMO-LAC board—Ralph Weber, President, Ben Renshaw, Vice President, Billie Thomas, Secretary and Barbara Renshaw, Treasurer. Questions should be directed to Ralph and Ben, but of course you can contact Frank Wodley in Chatsworth also. If we can't answer your question, we may go to our attorneys and ask them. Congratulations to all who have helped build their membership. Special thanks to Ray, and Lucy. Now for every new member, the Antelope Valley shares in the membership fee. Monies will go to promote membership and hold meetings. They have called their group "The Antelope Valley Group of CoMO-LAC." Others around the Southland are encouraged to form a similar CoMO-LAC group.
2. CoMO-LAC in the San Fernando Valley is growing. We continue to have monthly meetings, so please come and be active. Check the schedule.
3. We will continue mailing literature to parks without CoMO-LAC members. To date we have gotten members in about 10 new parks, some in Newbury Park, Ventura, Santa Clarita and Camarillo. We will be mailing the South Bay and North East Los Angeles beginning in 2006. Thanks to those who have contributed to cover mailing costs and have helped put the flyers together. We need more donations.
4. Please visit our website at [www.comolac.org](http://www.comolac.org) and tell us if you have any problems accessing the information there. Not too many have taken advantage of the site, but we see we are getting about three hits a day now. We've done some work recently on it and believe it is better than ever. John Sisker has been good enough to include CoMO-LAC on his list of California Associations. John's website "[mfghomeowners.net](http://mfghomeowners.net)" is very well known and we appreciate being on his list, along with CMRAA - the only two resident associations there.
5. The message board at <http://groups.yahoo.com/group/mhof/> is a must for anyone active in mobilehome issues. First sign up at yahoo, then for the group. It was first started in 2001 and has over 3100 messages. If you have a question, you can get almost an instant answer there. There are 43 active people from all over the state of California presently using the group and it is a great source of information.
6. Beginning in 2006 we would like to start an ad page in the newsletter. We will be selling space over the next two months and hope to have at least a full page. Call Frank for info on our rates - they are very reasonable, perhaps \$100.00/year or \$10.00/month, depending on the size. If you or someone you know might want inexpensive advertising that will go to many mobilehome owners—especially in the SFV and the Antelope Valley, let us know. We need at least 10 before we will devote a page.
7. We know it is probably more difficult to get into the newsletter because it is stapled. We did use wafer seals at one time. The cost and labor are certainly more for the seals. Sorry if the staple is a problem!
8. Two of our friends, both CoMO-LAC members and contributors to our organization are moving. We will miss Carol Mabus (Northridge) and Jim Rowe (Indian Hills). Thanks for you help. Carol was our one time Treasurer and Jim was our small claims court expert. Both participated on the board of CoMO-LAC. We wish them well and thank them for their contributions.
9. The word is spreading about CoMO-LAC. We now have members in and around Sacramento, in Santa Cruz, Grass Valley, San Diego, Palm Springs, Escondido, Riverside, Kern County, Santa Barbara, and more!

**NEWSLETTER BY EMAIL—SAVE \$7.00 AND GET IT EARLY.**

Beginning of 2006 we will probably offer the newsletter by email. If you choose that option, your membership dues will be \$7.00 less or \$8.00/12 months. Please consider this option as it takes considerable time and effort to publish the newsletter, print , fold , staple, and label it. There is no way it will look as nice as the hard copy does, but it will have the exact same content. All you have to do is open your email and it will be there, you won't have to save and open an attachment. And it will be in Microsoft Word, so it will be easy to open. If you have trouble reading the newsletter now, you can download it and easily make the font larger for easier reading.

As an aside, when I was first thinking about starting CoMO-LAC, I wanted to make it an all electronic organization. Unfortunately everyone doesn't own a computer or is an expert at using one. But for those who are, you could help us out and save some money if you decided to get the newsletter by email. And you are guaranteed to receive it on time (or even early if you want it then). - (Frank's thoughts)

**HOW AND WHEN TO RENEW - IT'S SIMPLE**

1. Look your membership number on the mailing label. For example 5012003. The 5 represents the year, the 01 represents the month, the 2 represents the area you live in and the 003 represents your unique number.
2. If your month number is a 01 (one), that means you were one of the very first members of CoMO-LAC. You joined in January 2005 so it is now time to send in your renewal. Simply fill out the membership application again and send it to P.O. Box 4821, Chatsworth, Ca. 91313-4821. In other words, look at the 2nd and 3rd digits to determine the month you joined. Then renew on the month prior to the one you joined to make sure you will continue to receive your newsletter, uninterrupted, i.e. if the number is 03, then you joined in March and need to send us a check in February; if 07, then you joined in July and need to send a check in June.
3. Again for all those members who have paid \$12.00 this year, when you renew we ask that you pay the \$15.00 this year, especially if you feel we are doing a good job and you want to support us. The \$3.00 actually adds up and we can do a lot more. Of course we will honor our commitment to you and accept your \$12.00 gratefully and thank you for it!
4. If you would like to try getting the newsletter by email, send just \$8.00 and write (N/L by email please) on your application. And we will guarantee to change back to hard copy should you request it after deciding email is not for you. You will be charged a prorated amount.

**SO YOU THOUGHT SPELLING WAS IMPORTANT ?**

And finally this is included for Jaye, Kathy, and Tom who have edited the newsletter, corrected spelling, grammar, and made sure it is well written. It was sent in my a friend and member, Jean Mellen, now living in Oregon. Don't overlook (the following) because it looks like a bunch of typos.. Believe it or not you can read it. If only our lives in mobilehome Parks were as easy!

I cdnuolt blveiee that I cluod aulacity uesdnatnard what I was rdanieg The phanmneal pweor of the human mind Aoccdrnig to a rscheearch at Cmbrigde Uinervtisy, it doesn't mtttaer in what order the ltteers in a wrod are, the olny iprmoaint thing is that the frist and lsat ltteer be in the rghit pclae. The rset can be a taotl mses and you can still raed it wouthit a porbelm. This is bcuseae the human mind deos not raed ervey lteer by istlef, but the word as a wlohe. Amzaning huh? Yaeh and I awlyas t!hought slpeling was ipmorantt.

**WOULD YOU FEEL SAFE WITHOUT FIRE INSURANCE?****AN EDITORIAL BY FRANK WODLEY, CoMO-LAC PRESIDENT**

As an owner, would you feel safe having no fire insurance on your mobilehome? I don't think so. But I'll bet many more mobilehomes are lost each year to their respective parks than from fire. And I'd bet, in most instances, residents simply don't think it possible they could lose their mobilehome. That just defies reason, doesn't it? Losing a mobilehome, for instance after missing just one rent payment and 3 day notice! That is unbelievable. Wouldn't that be unethical? My answer is YES, but money is involved!

Believe me it has happened and continues to happen. CoMO-LAC has cases on file. In one case, a resident did not paid his rent on time, received a three day notice, did not paid after the three days, and lost his mobilehome valued at over \$100,000.00. He offered to pay two months rent and a late charge the very next month. Management wouldn't accept it! He eventually had to walk away feeling like he was the bad guy, without receiving anything! The home had been in his family for years. Now it is gone, poof, just like that. Many parks are just waiting for us to "slip up."

Often times residents don't want to get involved with an "activist" or tenants' rights organization. And they will say: "We don't have to be involved, after all, someone else is protecting our rights (aren't they?) and we don't have the time." There is a negative stigma when one belongs to such an organization! Managers tell residents these organizations are a waste of time and money. They claim organizations use unsubstantiated scare tactics just to get members. After all, what have these groups done for residents in the past? Of course management doesn't want residents knowing their rights or knowing what's happening "behind the scenes." Management plies residents with misinformation. And if that doesn't work, management will intimidate and harass. Residents are afraid. Afraid what the park can and might do to them. Afraid of 7 day notices, of 14 day notices. Afraid of being evicted. However if residents knew their rights, or someplace to get advice, management couldn't get away with their many "scams."

I've written this before: "When you purchase a mobilehome, YOU ARE INVOLVED." Even before you sign on the dotted line, you are involved. The parks have done their homework and know how to get around rent control. Owners and their associations are SMART! Don't sell them short. And they make money off you and I when they evict us, or we lose our mobilehome. Consider also "passthroughs."

I'm sure there would be an outcry in the general public, those who own their homes and their land, if they knew **THEY** could lose their homes after missing one mortgage payment. It would be headline news!

Now let's compare the costs between fire insurance and joining CoMO-LAC. If you have a computer and will be getting the newsletter by e-mail, the cost to belong to CoMO-LAC is about \$0.67 per month! How much does a fire insurance policy cost? Not even close!

I am thankful to all of you who have joined in 2005 and hope you benefit from the newsletter. December is a month for giving. The one thing you can give your friends and neighbors is knowledge. Hand them the coupon for a free newsletter. Make a copy of this Editorial and give it to them. They need a friend and they need to know their rights! The goal of CoMO-LAC is to reach as many mobilehome residents as possible. I see our newsletter becoming our voice state-wide. Please take advantage of this opportunity. The time for excuses is past. If we do not soon get our act together as mobilehome owners, the odds of that ever happening again is nill. CoMO-LAC can and is making a difference. My goal is to continue to tell you like it is. "The truth shall set us free." All mobilehome owners deserve to know the facts. Thanks for taking the time. We are just beginning! Good things will come in 2006!

**And volunteer! CoMO-LAC is a group for its members, by its members. Be an active member.**

## Antelope Valley Group Plans For Greater Unity

In order to increase greater unity among mobile home owners in the Antelope Valley, CoMO-LAC members in this area have formed a new group which will spearhead a campaign to increase CoMO-LAC membership, improve communications between CoMO-LAC members, and reinforce its associations with legal firms that could represent mobile home owners in disputes with park owners and park management. The new AV group will meet regularly to formulate plans for reaching its goals and all CoMO-LAC members are invited to attend.

The next meeting of the AV Group will be Saturday, December 17, at 11 a.m. in the Leisure Lake Clubhouse at 20th Street West and Avenue E. Temporary Leaders of the new group are: Ralph Weber, President, of Leisure Lake (661-723-6997); Ben Renshaw, Vice President and Barbara Renshaw, Treasurer, both of Hacienda Estates (661-942-2905) and Billie Thomas, Secretary, of Boulders II in Palmdale, (661-943-3119). Lucille Fried, of Trade Winds, will be representing Southern Kern County (661-256-3099).

CoMO-LAC's Board of Directors welcomed the formation of the new group. This will give the Antelope Valley more ability to reach out for new members who would be willing to participate, thus bringing more unity among all mobile home owners in northern Los Angeles County. "Our first objective is to attempt to convince mobile home owners that they live in a Community, not just a mobile home park." Weber said. "We need to make residents in our mobile home parks know that the more CoMO-LAC members we have in the Antelope Valley, the greater strength we have as a whole group. We intend to fight our battles with park owners and park management together in UNITY!"

The AV CoMO-LAC group is currently asking for volunteers in our mobile home communities to get out brochures about CoMO-LAC. Its primary goal, at this moment, is to get more mobile home owners involved. One of the benefits of joining the AV group is that no one need know that a CoMO-LAC member is actively participating in defending mobile home owners' rights, so volunteers that come forth to help will not be harassed or intimidated by park owners or park management.

In addition to increasing CoMO-LAC membership, the new AV Group will be helping MHP Homeowners Associations have better communications within their individual communities, and a plan is in the works to compose a list of legal firms in the Antelope Valley that can be recommended to handle civil suits when necessary.

"Anyone in the Antelope Valley receiving this newsletter can help," Weber said. "All we ask is that you talk to your immediate neighbors about CoMO-LAC, tell them about how unity can make us stronger, and tell them that our AV Group will be there for all Antelope Valley Mobile Home Communities"

**GET INVOLVED....BE A PART OF DEFENDING YOUR RIGHTS...**

call any of the Antelope Valley CoMO-LAC Group listed above to give us your support!

(Comment from the CoMO-LAC Board: Good work Ralph, Ben, Barbara, Billie & Lucy! We hope other areas follow your lead and unite! We look for great things to happen. GOOD LUCK!.)

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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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