

# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

MAY 2006

VOLUME 2

ISSUE 5

## IT'S TIME FOR ACTION

This issue of THE VOICE presents two campaigns: one to stop an unfair business practice by parks - the removal of mobilehomes because of their age, and the second to defeat the new "Protect Our Homes" initiative. When have park owners ever been challenged? When have we taken the initiative to put park owners on notice? When have we said that "we're mad as Hell, and won't take it anymore?" The time is long over due, but at least we can begin TODAY.

Our first campaign is presented as a two page "insert" (the next two sheets of this newsletter). This insert deals with the practice of parks claiming you must move your older mobilehome because the park wants to upgrade. It is a **BILLION DOLLAR BUSINESS AND IT IS ILLEGAL**. Sometimes the parks even say that the Mobilehome Residency Law allows them to remove older homes in order to upgrade the park. Pay special attention to the remarks of **Senator Joseph Dunn**, our friend in Sacramento who has done much to help us over the years. Let's see if the parks want to challenge Senator Dunn on this issue!

Our second campaign deals with the loss of rent control, in the State of California, which could result in the loss of **several billion dollars** in equity for mobilehome owners. **IT IS YOUR MONEY!** And you could lose it overnight. We are not alone in our analysis. In fact Tim Sheahan, President of GSMOL, and Milt Burdick, GSMOL Zone C President both feel there is a serious challenge to rent control.

It is time YOU take an active role in YOUR FUTURE. The loss of rent control and/or the removal of older homes WILL affect you and your family. You could lose \$20,000.00 or more in equity OVERNIGHT if rent control is abolished. You could be paying \$200.00 or more in rent. And you could lose much more if your park convinces you to move your older mobilehome.

### **WHAT CAN YOU DO?**

**Take the insert, copy it, and pass it around in your park. Management CAN NOT stop you. If they try, call us and we will get our attorney involved. We will also contact Senator Dunn's office and HCD to let them know about this interference!**

**Tell your friends and neighbors about the challenge to RENT CONTROL. This could be absolutely devastating to mobilehome owners across the state. Next month we will have an insert you can copy and pass out on this issue. Tell your friends and neighbors about CoMO-CAL. Tell them the Coalition doesn't just sit around, but are doing something positive to protect their rights. Tell them they MUST join our movement. We must UNITE if we are to have any chance against the park owners. Above all, let's stay positive. We can make a difference! With your help, we ARE making a difference. THANK YOU!**



**EXPLANATION OF THE “MOVE YOUR MOBILEHOME” FLYER**

**PLEASE SEPARATE PAGE 4 OF INSERT.**  
**THIS IS THE VOICE OF THE PEOPLE.**

**REMOVAL OF OLDER MOBILEHOMES**

**TO UPGRADE THE PARK**

**No one can claim that the Coalition is not working hard. We have identified a major problem in mobilehome parks across the state—the illegal removal of older mobilehomes. This is a BILLION dollar a year business. We have written a flyer that incorporates statements from Senator Joseph Dunn, Sal Poidomani of HCD and our attorney Stuart Parker of Los Angeles. Every member getting this newsletter is requested to make copies of this four page insert and pass it out. This is just the first of several flyers we need you to distribute in order to stop illegal practices.**

We need to take the offensive and deal with this “unfair business practice” used by many parks to remove older mobilehomes. Anyone living in a home that was built before 1974 is vulnerable. We now have a flyer that informs residents what the law states—from three respected individuals: Senator Joe Dunn, Sal Poidomani of HCD, and our attorney Stuart Parker. The law is clear. Parks can request you to move your home ONLY if there are uncorrected Health and Safety violations. **They can’t make you move your home to just “upgrade” the park—that’s not what the law says.** Believe it or not, park owners around the state make almost a BILLION DOLLARS in extra profits. IT MUST STOP.

**WE NEED YOUR HELP**

Often residents feel there is NOTHING they can do. Well today there is SOMETHING you can do. Help us get this flyer out to your friends and neighbors. Especially those whose homes are up for sale or are coming up for sale. Everyone needs to know the truth! This is our chance to WORK TOGETHER to help correct this injustice.

Please make copies and hand them out. If you can’t make copies, request copies from us and we will hand deliver or mail them to you. DO NOT BE AFRAID. DON’T BE INTIMIDATED. If your park interferes with this distribution, we will get Mr. Stuart Parker involved immediately. We are serious and will not allow the interference of the distribution of this important material.

Another thing you can do: REPORT this “unfair business practice” to CoMO-CAL. Let us know it’s happening in your park. We only know what’s happening if you tell us. Then we CAN do something about it.

**REMEMBER - REPORT THESE ILLEGAL PRACTICES TO OUR COALITION**

**DO NOT BE INTIMIDATED / WE ARE HERE TO SUPPORT YOU**





# MOVE YOUR MOBILEHOME? FLYER - PAGE 1

## WHEN CAN MANAGEMENT REQUIRE YOU TO MOVE YOUR MOBILEHOME TO UPGRADE THEIR PARK?

Recently a GSMOL Manager in Sacramento posed a question to Senator Dunn regarding the removal of a mobilehome upon sale to a third party. Below is an excerpt from Senator Dunn's reply:

### LETTER FROM STATE SENATOR JOSEPH DUNN

*With regard to the refusal of your park management to permit you to resell your mobilehome in the park due to its age, our committee consultant indicates you should consider (calling HCD or) getting a private home inspector to check out the home and verify its condition. **Age is no longer the criteria** under Civil Code Section 798.73 (MRL) for determining whether a home can be resold in place. **The issue is whether it complies with health, safety and construction standards of state law.** If you need to make repairs as the result of the inspection, have those done and get a report verifying that the home meets code and present it to the management. If they still refuse to permit you to resell, you should check with GSMOL or another mobilehome owner advocacy group, or an attorney about possible legal action.*

Joseph L. Dunn, Senator, 34th District. Sacramento (916) 651-4034

Garden Grove (714) 705-1580 Fax (714) 705-158

Capitol Office State Capitol, Room 2080, Sacramento CA 95814

State Senator Joe Dunn (D-Garden Grove) was elected in November 1998 to represent the 34th Senate District in Orange County; he was re-elected handily in 2002. The district includes the cities of Anaheim, Buena Park, Fullerton, Garden Grove, Santa Ana, Stanton and Westminster. Sen. Dunn is a strong advocate for seniors and affordable housing. He has been honored with legislator-of-the-year awards from mobilehome owners and others. Sen. Dunn lives in

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## **MOVE YOUR MOBILEHOME?- FLYER PAGE 2**

THE COALITION” asked the same question of Attorney Stuart Parker. Mr. Parker is knowledgeable about the Mobilehome Residency Law. The following is his analysis of the law regarding removal of older mobile homes by the park, per 798.73: this law:

### **LETTER BY ATTORNEY STUART PARKER**

## **WHEN CAN PARK MANAGEMENT REQUIRE THAT A MOBILEHOME BE REMOVED ON SALE?**

Although Park Management often tries to confuse and complicate the issues in order to establish its authority, the answers to the above questions fall into several simple rules which derive from California Civil Code section 798.73 and can be stated as follows:

**RULE NO. 1:** Park Management may never require the removal of a mobilehome from the Park on sale unless the mobilehome does not comply with the Health and Safety standards provided in Sections 18550, 18552, and 18605 of the Health and Safety Code and the regulations established there under, as determined following an inspection by the appropriate enforcement agency, as defined in Section 18207 of the Health and Safety Code.

**RULE NO. 2:** Park Management may not even lawfully propose the removal of a mobilehome on sale unless it falls into one of the following three categories:

Category No. 1: The mobilehome is more than twenty years old, or more than twenty-five years old if manufactured after September 15, 1971, and is twenty feet wide or more;

Category No. 2: The mobilehome is more than seventeen years old, or more than twenty-five years old if manufactured after September 15, 1971, and is less than twenty feet wide;

Category No. 3: The mobilehome is in a significantly run-down condition or in disrepair, as determined by the general condition of the mobilehome and its acceptability to the health and safety of the occupants and to the public, exclusive of age. With respect to this category, the law requires that the management should use reasonable discretion in determining the general condition of the mobilehome and its accessory structures. Furthermore, the management shall bear the burden of demonstrating that the mobilehome is in a significantly run-down condition or in disrepair.

In summary, the legal ability of the park management to require removal of a mobilehome on sale is entirely dependent on the ability of park management to establish Health and Safety Code violations that have not been remedied.



## **MOVE YOUR MOBILEHOME? - FLYER PAGE 3**

The following is an excerpt to a question posed by a resident in a California Mobile Home Park to Housing and Community Development (HCD) in Riverside. Sal Poidomani heads that office and is very knowledgeable about the law:

### **LETTER FROM SAL POIDOMANI, HCD RIVERSIDE OFFICIAL**

*Your statement and interpretation of section 798,73 in the Mobilehome Park Residency Law is correct. This law applies to both pre or post 1976. Regardless if the home is pre-HUD home (pre 1976) it may not be removed unless the home meets all the factors contained in section 798.73 (age, width and condition). Bottom line, the home must be in significantly run down condition as determined by the enforcement agency. Historically, if we (HUD) conduct inspections of homes under this section and as requested by the park manager/owner and we find the home to be in substandard condition, we will cite the home owner and give them 30 days to comply. If they do comply, we no longer have a substandard home and therefore, not subject to 798.73. Essentially, the park is back to square one. On the other hand, if the home is vacant, and there is no one to cite or make the repairs, then the park can invoke section 798.73 and have the home removed.*

Sal Poidomani (951)782-4420, (951)782-4431 (mobile office program)  
Codes and Standards Administrator II, State of California  
Department of Housing and Community Development (HCD)  
Division of Codes and Standards  
3737 Main Street, Suite 400, Riverside, Ca. 92501

## **CONCLUSION**

The law is clear. Senator Dunn, Sal Poidomani of HCD, and our attorney Stuart Parker all agree on the meaning of 798.73 (Removal of Mobilehome on Third Party Sale). You DO NOT have to move your mobilehome out of a park unless there are uncorrected "health and safety" violations.

Violations may range from stairs, railings or porches that are unsafe, to electrical chords being used outside your home. If there is any question, you can request an HCD inspection. Simply call HCD Riverside at 951-782-4420 and they will send you form #415 for that purpose. Simply write Technical Service Request in Section #4 on the form to request a "technical service inspection." The cost is \$66.00 and well worth it if there is any confusion about the condition of your home. If the HCD inspection finds violations, don't panic. Usually they are easily resolved—fixing a porch railing, removing an extension chord, etc. HCD allows you 30 days to correct the violations. As per Mr. Poidomani above, "*If they do comply, we no longer have a substandard home and therefore, not subject to 798.73. Essentially, the park is back to square one.*" HCD may even write "O.K. to sell" leaving no question about that issue.

CoMO-CAL is always available to answer your questions and point you in the right direction. Do



# CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

## MEMBERSHIP APPLICATION

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

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

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

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

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

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

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

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

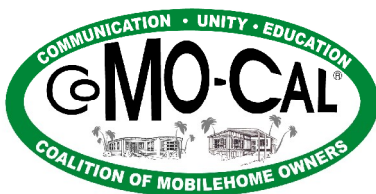
MAIL TO: **CoMO-CAL, P.O. BOX 4821, CHATSWORTH, CA. 91313-4821**

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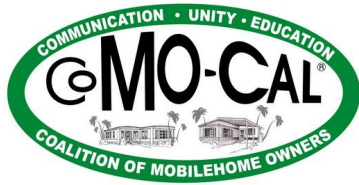
CoMO-CAL is a non-profit California corporation dedicated to serve mobilehome owners in California.

**Our purpose is to educate,**

### 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](http://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.





# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

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ISSUE 5

## **EDITORIAL - RENT CONTROL - WHAT IF WE LOSE IT?**

### **BACKGROUND**

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 (CPI). 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? I can't!

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

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 \$40,000.00, meaning some 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 mobilehome owners simply will no longer be able to afford the higher rents, especially those on fixed incomes. What can they do? Combined with a serious loss of equity (your home is also worth less, perhaps thousands of dollars less), the result could be devastating. It is likely some would be homeless! It is that simple. 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? Certainly we would be "between a rock and a hard place" for sure!

**SEE PAGE 3: RENT CONTROL LOST — AT WHAT COST?**



## WE ARE NOW CoMO-CAL

As of March 21, 2006 CoMO-LAC is officially CoMO-CAL. Our member Sandy in North Highlands was kind enough to take the paperwork in person to the Secretary of State's Office in Sacramento to make the change. This probably saved us several weeks. Thanks so much, Sandy.

So what does the change mean to you? It means that we are now a statewide organization! And you will see CoMO-CAL replacing CoMO-LAC. Starting this month please make out renewal checks, and donations to CoMO-CAL. Remember when you renew, **DO NOT** fill out another application, unless some of your information has changed. When you renew, **please write your membership number on the "memo" line of the check.** This saves us the time of looking it up and we are sure to give you credit for your payment.

### **E-MAIL NEWSLETTER**

We really would like to have every member with a computer accept the newsletter by email. This has several benefits:

1. You get it quicker and you have it on your computer so you can refer to it anytime you want.
2. It saves us about \$0.50/copy. That is money that can be used for a better purpose such as legal fees.
3. It saves us a lot of time and energy. It still takes about 10 hours to print the newsletter, plus another 10-15 to fold, staple, label, and mail the newsletters. Each one we can save means we can devote more time to real issues facing us.

**IF YOU HAVE A COMPUTER AND WOULD LIKE TO TRY GETTING IT BY EMAIL, PLEASE SEND AN EMAIL TO [comocal@yahoo.com](mailto:comocal@yahoo.com)** We will try it for the June and July newsletter. You can opt out and receive a hard copy anytime. We need to give this a try! Please help. It only takes a second to send us an email.

### **E-MAIL NETWORK**

We are working on an e-mail network. It is critical if we have important information and we want to get it to you quickly. That's the only way to go. Please send us an email that you want to join. We will **NOT GIVE OUT YOUR ADDRESS TO ANYONE.** Details will be

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

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

THE VOICE welcomes articles of interest to mobilehome owners.



## RENT CONTROL LOST — AT WHAT COST?

### FACTS YOU NEED TO KNOW

There are about 700,000 spaces statewide, in about 5000 mobilehome parks. We estimate there are about 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. That means, your rent would increase \$200.00/month—which in a way is conservative.

### **QUESTION: HOW MUCH EXTRA RENT WOULD THOSE NOW UNDER RENT CONTROL PAY PER MONTH?**

**Take a guess:** A) \$200,000.00 B) \$750,000.00 C) \$5,000,000 D) \$40,000,000. or E) Other

If you picked (D) you were correct, but how much more are we paying in rent. Would you believe \$40 million dollars a month more! Well that's right. Just in one month, about \$40,000,000.00/month in extra rents because of the loss of rent control. **FORTY MILLION DOLLARS A MONTH MORE IN RENT!!!!** WE CAN'T AFFORD TO LET THIS HAPPEN!

### **QUESTION: HOW MUCH WILL WE LOSE IN EQUITY?**

**REMEMBER IT'S NOT JUST HIGHER RENT! IT'S ALSO LOSS OF EQUITY.** If space rents averaged \$200.00 higher (a conservative estimate), the value of each mobile home would decrease approximately \$20,000.00. Based on a loss of \$20,000.00 for each home, and 200,000 spaces, what would be the total loss of equity statewide? a) \$5 million, b) \$50 million, c) \$500 million, d) \$4 billion, e) other?

In fact is (d) again. The total equity lost if space rents increase by \$200.00/month, and 200,000 spaces are affected statewide would be **FOUR BILLION DOLLARS!** Just like that. **FOUR BILLION DOLLARS!**

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

It should mean that the time has come to rally your friends and neighbors. **Get behind CoMO-CAL, with your time, and your money.** If each member gave just \$50.00, we could reach 150,000 with a flyer explaining how rent control can be lost. If 4% of these residents joined CoMO-CAL, that would increase our membership by 6000 members. If they contributed \$50.00, that would mean we could send out another 900,000 flyers! We could blanket the state with flyers! We would be making a big difference and mobilehome owners would know what could happen. **But you can't wait for tomorrow. We must get our campaign in high gear today!**

What else can you do? Of course, please VOTE IN NOVEMBER. And VOTE NO for this initiative which claims to just abolish eminent domain. Don't believe those who say that it does not deal with rent control, because it does—it most likely will abolish rent control statewide. And tell this to your friends and neighbors. They will be affected also. They should want to know. **It affects them also.** We can't afford to sit and do nothing, hoping that someone else will take care of our business for us. **YOU MUST BE INVOLVED. YOUR FRIENDS AND NEIGHBORS MUST BE INVOLVED. TOGETHER WE CAN WIN THIS BATTLE. WE ARE AN EASY TARGET IF WE REMAIN ALONE.**

**REMEMBER: UNITED WE STAND, DIVIDED WE FALL.**



## UPDATE - INITIATIVES TO ABOLISH EMINENT DOMAIN

Remember in the April Issue of THE VOICE we reported a serious challenge to rent control. At that time the initiative we were concerned about was called "California Property Owners Protection Act." It was sponsored by Senator McClintock of Simi Valley, Jon Coupel, President of the Howard Jarvis Taxpayer's Association and Chris Norby of the Orange County Board of Supervisors. Fortunately for us this initiative did not have the funding required for the collection of signatures and today it is dead.

However there is another initiative, SA2005RF0146, called "Protect Our Homes." In fact there is a Protect Our Homes Coalition (<http://www.protectourhomes2006.com/>). We present the Title and Summary written by the State Attorney General on this particular initiative:

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### 1204. (SA2005RF0146)

#### **Government Acquisition, Regulation of Private Property. Initiative Constitutional Amendment.**

*Summary Date: 02/16/06 Circulation Deadline: 07/17/06 Signatures Required: 598,105*

*Proponent: Anita S. Anderson*

Bars state and local governments from condemning or damaging private property to promote other private projects, uses. Limits government's authority to adopt certain land use, housing, consumer, environmental and workplace laws and regulations, except when necessary to preserve public health or safety. Voids unpublished eminent domain court decisions. Defines "just compensation." Government must occupy condemned property or lease property for public use. Condemned private property must be offered for resale to prior owner or owner's heir at current fair market value if government abandons condemnation's objective. Exempts certain governmental actions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Unknown, but potentially significant major future costs for state and local governments to pay damages and/or modify regulatory or other policies to conform to the measure's provisions. Unknown, potentially major changes in governmental costs to acquire property for public purposes. (SA2005RF0146.)

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**This initiative is the one we are worrying about. Milt Burdick, GSMOL Vice President of Zone C, has studied it and believes that it will eliminate rent control. We have also looked at it. The critical wording is similar to that contained in the California Property Owners Protection Act. So we also feel it probably will eliminate rent control or the park attorneys will use it for that purpose.**

Today signatures are being gathered in front of Walmart's and other stores in the state. Those gathering the signatures are paid for each signature, i.e. they are subcontractors who earn a living doing this work. They are telling people that it is "an eminent domain" initiative that will protect property rights. Sounds like something we all would vote YES on, doesn't it. **But beware, it may very well eliminate rent control statewide in the state of California.** We advise not to sign these petitions. Come November, please get out and vote, and **VOTE NO!** This is our only weapon against this initiative.



On April 3rd we asked one of our attorneys, Mr. Jim Howe of Ventura, to give his opinion whether or not this initiative will eliminate rent control. We present it here for all our members to read for themselves:

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From: James Holmes <jtholmesesq@sbcglobal.net>

To: Fawodley@yahoo.com

Sent: Tuesday, April 4, 2006 3:26:05 PM

**Subject: "Anderson Initiative"**

I have reviewed the "Anderson Initiative" and like all initiatives that are proposed in an emotional response to a small decision that will probably affect an extremely limited number of people, it is quite flawed.

It could very well be interpreted to cancel rent control ordinances, but, it would depend on the language used, not in the initiative, but in the ballot statement of what the voters are voting on. Many times an initiative uses fuzzy language that can be interpreted many different ways, but the ballot statement states the purpose is just one thing and that language is what the Courts utilize when interpreting the initiative.

"Eminent Domain" is defined in Black's law dictionary as "The power to take private property for public use by the state, municipalities, and private person or corporations authorized to exercise functions of public character." Though the initiative attempts to broadly define the term " eminent domain" it is still subject to the Federal Constitution (5th Amendment) and the State Constitution. Though this initiative attempts to re-define the term, it can run afoul of the US Constitutional provisions which are defined by the US Supreme Court.

Unfortunately, some people will attempt to expand this initiative into areas where it doesn't belong. I would suggest that you advise your members that it is possible that this initiative could be utilized (probably unsuccessfully) to attempt to destroy all rent control ordinances in California. The language is fuzzy enough that an attorney could argue that the initiative if passed forbids rent control or a host of other things that the drafters never intended.

This initiative is clearly an emotional response to the Supreme Court of the United States saying that the local government may take private property for commercial development if it will benefit the community. The proper response to such a decision is to elect people to public office who won't take private property for commercial development, but, the general rule is as long as they want to take "poor people's stuff" and not mine, it is OK to take their stuff.

The best offense is to arrange for the initiative to be defeated.

Jim Holmes

Attorney At Law

Ventura, California

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CoMO-CAL has really no choice but to take this initiative very seriously and act as if there was a 100% chance that it will eliminate rent control. To that end, we are advising all our members to ACT. We must counter this by getting the word out not to sign petitions and to VOTE NO on the eminent domain initiative in November 2006. You need to realize the real effects of the loss of rent control.

**THEY WILL BE CHAOTIC.**



**The Picket Lines Are Forming**  
**The Lancaster Rent Arbitration Board Will Hear Us Shout,**  
**“It’s Too Much!”**

The new owners of the Locust Grove Mobile Home Park at 1617 East Avenue I in Lancaster have petitioned the Lancaster Rent Arbitration Board (RAB) for a rent increase that will more than double the current rents. The owners cite increased taxes and operating costs as the main reasons for the huge increase. The hearing is scheduled for 6 p.m. on May 2, 2006 in the Lancaster City Council chambers.

**FOR ALL THE DETAILS AND PLANS TO OPPOSE THIS RENT INCREASE, ALL MOBILE HOME PARK RESIDENTS SHOULD ATTEND OUR CoMO-CAL MEETING.  
SATURDAY, APRIL 15 AT 11 A.M. AT THE SAGETREE VILLAGE MHP,  
3524 EAST AVENUE R IN PALMDALE**

Sound familiar? Last July the new owners of Sherwood Mobile Home Park, also on East Avenue I in Lancaster, petitioned the RAB for a sizeable rent increase. In spite of a huge turnout of mobile home residents objecting to the increase, it was a slam-dunk for the Sherwood park owner. With deaf ears and blind eyes, the RAB ignored the Sherwood Home Owners Associations facts and figures showing that the park owners argument for an increase was exaggerated. And with virtually no discussion, they approved the increase. The Lancaster RAB’s decision can not be appealed.

This time, when the RAB meets, they will find the Council Chambers filled with protesters who are willing to walk a picket line outside City Hall on the day of the hearing, carrying banners and signs screaming protests against the unfair and unjust rent increase! The AV CoMO-CAL group says it wants to make a circus act out of this protest and hopes to draw attention from the local media so that the general public may know what is going on.

It is almost common knowledge throughout the Antelope Valley that the RAB in Lancaster is heavily biased toward mobile home **park** owners. In the case of the Sherwood MHP, approval of the Sherwood MHP rent increase was based on a Review of the park owners petition by Clay Hage, hired by the City of Lancaster to render an **impartial decision** about whether the rent increase was justified or not. The big fly in this ointment, however, was the fact that Clay Hage’s credentials show he was a management consultant for mobile home park owners. For 15 years, he worked for the largest manufactured housing trade association in the United States, Western Manufactured Housing Communities Association (WMA). Do you think his decision was impartial? Well that’s out the window!

For the Locust Grove MHP review, the City of Lancaster has hired one Michael St. John. At the time of this printing, the Lancaster City Clerk could not give us any resume for Michael St. John. Want to guess which way this guy will lean?

But the Locust Grove residents are going to block this slam-dunk! Upon the advice of CoMO-CAL’s Antelope Valley Group, they have formed a five man committee and have had a certified public accountant look into the park owners statistical reasons for the increase, and according to latest unofficial reports from the Locust Grove committee, the Accountant has found numerous exaggerations and flaws in his petition.



The rent increase petition requests three levels of rent increase, with the minimum increase being about \$70 and the highest over \$167 per month. The Seniors living in Locust Grove, say that any of the three increases, if approved, would severely hurt them; even make it unaffordable for them to stay in the park. However, at a CoMO-CAL meeting, the residents said they realize that there will be some sort of rent increase, but more than doubling the rents is not equitable.

The Lancaster City Clerk tells us that the recommendations, which will be made by Michael St. John, will not be available until after April 15. This means that the CPA working for the Locust Grove residents will only have about two weeks to build a case against the rent increase. This is grossly unfair. In our opinion, the RAB hearing should be held 30 days after the decision by Michael St, John, so that the Locust Grove accountant can have enough time to counter recommendations in favor of the increase.

The Lancaster Rent Arbitration Board is a five member group approved by the Lancaster City Council. It consists of a Park Owner, a mobile home park tenant, and three at-large citizens who live in the city of Lancaster. Right now, there is a vacancy for one at-large member; a vacancy which may or may not be filled by the time of the May 2nd Locust Grove hearing. At the Sherwood MHP hearing last July, the mobile home park owner was Chairman of the panel! All members of the RAB are appointed to serve for two years and only meet when a petition for a rent increase (over and above the annual CPI-based rent increase) is filed with the City Clerk. The term of one at-large RAB member will expire next year, and the other members terms will expire in 2007. The AV CoMO-CAL Group is now seeking Lancaster residents, with no ties to mobile home parks to file for appointment to the Board.

Any and all mobile home residents living in Lancaster are encouraged to show up at the May 2nd hearing. As we all know, there is great power in numbers and the bigger the crowd the louder we shout. Support your fellow mobile home park space renters, you never know when you'll be next!

**(Article by Ralph Weber, President of the Antelope Valley CoMO-CAL group.)**

### **WHAT WE ARE WORKING ON FOR JUNE**

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

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

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

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

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

We plan to send out 3000 flyers to all sections of California alerting residents to the challenge to rent control.

We are working on an e-mail network. We continue working on the website ([comocal.org](http://comocal.org))



## R-E-S-P-E-C-T SPELLS RESPECT

We thought you might be interested to read about RESPECT. In fact, many of us are not shown any respect by our managers or park owners.

Why is that? It just doesn't seem reasonable, does it. We pay our rent on time and we obey the park rules and regulations. We're good tenants and neighbors.

Our Coalition feels it is part of a plan! A grand plan to make us so unhappy in our parks that we will leave. That's right—to make us move! Can you believe it? And why is this happening? To make money, simple as that!!!

**THIS MUST STOP. EACH AND EVERY ONE OF US MUST DEMAND THE RESPECT WE DESERVE.**

---

We are not cared about

We are stereotyped

We are underestimated

We are not taken seriously

Our feelings are not taken seriously

Our preferences are not taken seriously

Our dreams are not taken seriously

Our ideas are not taken seriously

Our needs are not acknowledged and not taken seriously

Our questions are not taken seriously We are mocked

Our questions are not answered or are evaded

We are told that we wouldn't be able to understand something

We are not asked for our ideas

Others make decisions about us



## DEFINITIONS

**TOADIE** (Clay's word): a park resident who is pro-management. Usually this resident is buddy-buddy with the manager. He/she can easily be manipulated into thinking that the manager is a terrific person and working hard to make the park a nice place to live. Management may provide this resident perks—free landscaping, perhaps some remodeling by the park handyman, a front table at park functions, etc. Above all, this resident knows management will not give notices to them or try to evict them. Management uses this resident to spy on “the trouble makers, and to support management. Support may come as writing letters to management and the owner saying how terrific the park is, “bad mouthing” or even going to court to testify against the troublemakers.

What does CoMO-CAL think of TOADIES? **They are not our friends.** They hurt us all. And why? Because they are selfish and think only of themselves, and not the consequences of their actions on their neighbors. They hinder us from receiving the respect we deserve, and interfere with our rights.

**WMA:** Western Manufactured Communities Association. This is the park owners group. They have about 37% of all park owners as members (approximately 1700). They are a strong group. They have a vendors list of attorneys, accountants, management companies, supply companies, etc. Among their management groups are Pacific, Star Management, and Sierra Corporate Management Co.

**HCD:** Housing and Community Development. They can not handle violations of the Civil Code (MRL). They get involved only in health and safety issues. They will inspect your home when you sell.

**MRL:** Mobilehome Residency Law. This is our “bible.” It was written to protect us as residents in mobile home parks. GSMOL claims responsibility for many of the laws in the MRL. Unfortunately the laws were written by attorneys, for attorneys. And often times they are ambiguous. In order to use the law, we must retain an attorney, usually at great expense.

### **Want to know what you can do? Here are some simple suggestions:**

1. Form a Home Owners Association. Elect a Board of Directors (3-4 residents). CoMO-CAL can help you with the formation of a HOA. Contribute to a legal fund and establish a policy for using it. Keep track of donations and membership. Join CoMO-CAL to have a Voice, to get assistance and to know what's happening in your area. Have one contact with a computer and email in your park—to communicate with CoMO-CAL.
2. Be watchful. Study management's newsletters. Often times they put out information that violates the Mobilehome Residency Law. Don't sit back and ignore them, take action, write a letter, let CoMO-CAL help.
3. If you identify a situation or problem and you need assistance, call us. Your call notifies us of a problem and often times we can advise and give you direction. We have a growing list of attorneys who are knowledgeable and ready to litigate any violation of the MRL.
4. Volunteer to help CoMO-CAL. We continue to need office help. Remember we do not get paid, but the work has its own unique reward.
5. We want to help more mobilehome owners by offering legal assistance or funds to retain an attorney.



## **MOBILEHOME OWNERS SUMMIT HELD IN SANTA BARBARA**

On April 7th CoMO-CAL held a special area wide meeting in Santa Barbara at the home of Tom Jacobs. Tom is the President of his Home Owners Association in San Vicente Mobile Home Park and although a short time resident in his park, he has become very active. **Tom has been made our new Vice President** and will sit on the Board of Directors. Other attending the meeting were Doris Stephens, of Orcutt Ranch in Orcutt, just south of Santa Maria, Kathy Mattes, CoMO-CAL Secretary from Carpinteria, Merle and Betty Pitman, the President of MOHOC in Oakview, Bud Fink, President of COMOA (all Carpinteria MH residents belong), and Frank **Cooke**, a resident of San Vicente. We discussed CoMO-CAL, the rent control challenge and worked on organizing for better teamwork in the counties of San Luis Obispo, Santa Barbara and Ventura. Our next meeting will be April 29th. This is a meeting by invitation only.

## **HOMEOWNERS MEETING IN INDIAN HILLS, CHATSWORTH**

Our President, Frank Wodley, attended the Home Owners Association meeting in Indian Hills on Saturday, April 1st. You will remember that Indian Hills has had problems with their utilities and management. Star Management's representative, Jeffrey Leek, has met with residents on several occasions to discuss the replacement of water, electric and gas service within the park. This work will take approximately 6-9 months and will be expensive.

Residents are worried about a pass through. The Los Angeles Rent Stabilization Ordinance states that an owner may pass back to residents expenses incurred for "capital improvement work." There are five guidelines:

1. The improvement must primarily benefit the tenant rather than the landlord.
2. The improvement must have a life expectancy of five or more years.
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

Indian Hills is a mobilehome park of 138 spaces. The RSO details how much residents will pay per month for an improvement. In fact the owner can pass on to residents 50% of the cost. This is amortized over 5 years or 60 months, but it is paid for 6 years or 72 months.

For every \$1,000,000.00 in cost, the residents will pay \$60.39 per month; however there is a monthly cap of \$55.00. This means the 72 month period may be extended until all allowable capital improvement expenses have been recovered. Remember these figures are based on ONE million dollars. The proposed work probably will cost several million!

Unfortunately the HOA leaders did not really give anyone a chance to discuss the pass through issue and the meeting was adjourned after Mr. Leek spoke. One resident did offer information about the RSO and how a pass through would work: however the information was inaccurate and incomplete. I'd like to see if the HOA delivered any notice of the meeting to those residents who did not attend. My advice. More residents should be ACTIVE!



## WHAT'S UP OR GOIN' DOWN IN ORCUTT

Orcutt Ranch Mobilehome Estates is a 228 space Senior Park in Northern Santa Barbara County near Santa Maria. It is, or could be, an idyllic place to live if it were properly maintained. There are all kinds of mature trees, a rambling creek, and until recently a footbridge over the creek which connected 40+ home sites on one side of the creek with the clubhouse, swimming pool and other amenities as well as the Park Office and another 180 + home sites. Management removed the footbridge and stated that "it was unsafe and it probably would not be replaced". None of us could see a thing "unsafe" or changed about it's condition.

Homeowners who previously had easy access to the aforementioned facilities must now drive out of the park onto public streets, drive around several blocks, re-enter the park, and drive several blocks inside the park in order to attend clubhouse functions take a swim OR PAY THEIR RENT at the Park Office.

When the 40+ spaces across the creek were being developed and leased, management's on-site sales office sold all the new manufactured homes to be placed on the lots and was quoted in the local newspaper touting the desirability of the new development's easy access across the footbridge to all the amenities. So, now, with management's refusal (so far) to replace the footbridge, we must determine the extent of contractual liability of the park owner.

If homeowners reading this have had a similar experience, we would appreciate hearing about it. There are other issues of concern in our park which will be addressed in future communications.

Doris Stephens, Homeowner,

Orcutt Ranch Mobilehome Estates

### [Mobile Home - Unfair Rent Raise \(Buying Our Mobile Home Parks\)](#) by Linda Meckler

One of the big issues in front of our State Legislators today is the sales of the Mobile Home Parks.

Now when the owners want to sell their Mobile Home Park they find a party and sell it. The homeowners that live in that particular park do not hear about the sale until after the fact.

**THIS MUST CHANGE:**

**THE PEOPLE WHO LIVE IN MOBILE HOME PARKS HAVE A RIGHT TO PURCHASE THEIR OWN PARK.** After all they live there. If a new owner comes in the first thing they usually do is RAISE THE RENT.

Who better to maintain their own park than the Mobile Home owners that live there!

Mobile Home owners are usually on a fixed income; especially, in a Senior Park. What is happening in these Mobile Home Parks is scandalous. Taking advantage of people who have their entire world tied up in their home.

(Editors Note: Linda Meckler is an author who writes children's books. Please visit her website at: <http://www.lmeckler.com/>. She will write an article about CoMO-CAL and put it on her site so other mobilehome owners will know about us. Thanks Linda! Her whole article will appear next month.)



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### CoMO-LAC THIS AND THAT

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



## TIPS AND SUGGESTIONS

1. Put everything in writing to management.
2. Do not sign long term rental agreements or leases. Anything over 12 months voids rent control.
3. Know the Mobilehome Residency Law. It has taken years to legislate these laws and they were written to protect you.
4. When you receive a 7 day notice, be sure that management is enforcing the rules and regulations fairly, i.e. if others are violating the same R&R, they too must be given a 7 day notice.
5. Maintain your property. This helps keep the value of your mobilehome, and motivates your neighbors to also maintain their properties.
6. Know that you rent is late after the 5th day it is due. If you have not paid during this grace period, the park can give you a 3 day notice to pay or quit. If you do not pay in this 3 day period, the park can take action to evict you. You have no defense! So be sure you always pay your rent on time.
7. When the park introduces new Rules and Regulations, the park must hold a meeting with all park residents invited. If there are rules or regulations you are not happy with, you must make the park aware.

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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