

# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

NOVEMBER 2006 VOLUME 2 ISSUE 11

## WHAT OTHER'S ARE SAYING ABOUT PROPOSITION 90

**Proposition 90 masquerades** as a savior to protect your property from seizure by the government through eminent domain. But behind that mask, the proposition is a serious threat to taxpayers, to consumers, to the environment and to anyone who believes communities should have a say in what development is allowed next to homes and schools. (Mercury News Editorial Oct. 2, 06)

San Bernardino County's conservative Board of Supervisors is bucking the state Republican Party's line in opposing a far-reaching property rights ballot initiative. Instead, the board favors a far more narrow prohibition on the use of eminent domain to transfer property from one private party to another. Proposition 90, which supporters call the "Protect Our Homes Initiative," would ban such private-to-private transfers. (INLAND VALLEY DAILY BULLETIN October 2, 2006)

**Commentary: Deception Underlies Proposition 90** As a vocal critic of redevelopment agencies, I was pleased to learn that a petition was circulating that would curtail the use of eminent domain. Unfortunately, when I read the measure (which is now Proposition 90 on the November ballot) I learned that the initiative's backers sought to capitalize on rising anti-eminent domain sentiment by inserting a sentence jeopardizing the future enactment of most land use laws, including amendments to local rent control ordinances.

This sentence—which allows property owners to sue government entities over any new law that reduces their property values—is so destructive that it overwhelms the good part of the initiative. Prop. 90's specific language limiting eminent domain made this broad sentence unnecessary, raising questions about the motives behind November's "Protect our Homes" initiative. Nobody needs to convince me of the evils of eminent domain. But Prop. 90 is not the answer. By preventing local governments from passing laws to help working people and the poor, Prop. 90 hurts the very populations it claims to help. (Randy Shaw—Berkeley Daily Planet Oct. 3, 06)

**Eminent Domain or Imminent Disaster? Don't be fooled by Prop. 90, an anti-environment stealth measure passed off as a 'protect your home' initiative.** Proposition 90 is a sleeper, bankrolled mainly by libertarian Howie Rich and Americans for Limited Government as part of a nationwide attempt to turn back the clock on the role of government in our society. A new and similar Oregon law has already resulted in \$5.2 billion in claims, including one from a property owner claiming rights to construct a mine inside the Newberry Volcanic National Monument. This measure is opposed across the board — by environmentalists, labor and the state Chamber of Commerce, by taxpayer associations and consumer groups, by scientists and public health agencies and the California Farm Bureau. (By AL MEYER-HOFF, an environmental attorney in Los Angeles, L.A. Times Sept. 23, 06) articles continued on

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**NOVEMBER 2006**

We are holding our breath that Proposition 90 does not pass on November 7th. Please do your part—continue to tell all your friends, neighbors and relatives. VOTE NO on 90!

This month THE VOICE is being published a week early because of the November election. We want to have a big push these last few days. If you want information or literature, please call or email us.

Included in our newsletter this month are quotes from around the state—we have seen many articles against Proposition 90 and only a few in favor. Copy these pages and pass them around. There was a poll in late September showing Proposition 90 was passing 61% to 24%. Although the noprop90 people felt this poll was not reliable, it shows we MUST do our best to get the word out.

As of October 11th, T.V. ads against Prop 90 are being telecast in Los Angeles and Sacramento. Soon telecast in other areas also.

We are happy to report Donald DeVore, an advocate for mobile home owners for more than 30 years, has endorsed CoMO-CAL as the state-wide organization of choice. We continue to educate and inform our members. And remember, we welcome your calls, letters and emails; whether just to say hi or for advice on a problem.

The writing is on the wall. Mobile home owners must be aware of the continuing efforts of park owners to stop rent control. Our only hope is to UNITE and work against such efforts. Condo conversions are becoming more prevalent around the state. We believe park owners feel this is a way to get around rent control. Their approach in the past has been to challenge rent stabilization ordinances in court, which can be very costly.

This month we have included a four page “questionnaire.” Please fill it out and mail it in to us. The results will be published in THE VOICE at a later date. This questionnaire helps our communication with you—remember, communication is knowledge and knowledge is power!

We continue to ask for volunteers. CoMO-CAL is YOUR organization and it takes people to run it. We need representatives in your area. Steve Molski, our representative in San Diego, is doing a terrific job and we send Steve boxes of material—we will do the same for you in your area. As a result, many more residents in Chula Vista are now informed and “don’t have to go it alone.”

**VOTE NO ON PROPOSITION 90**

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

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

THE VOICE welcomes articles of interest to mobilehome owners.

### ENDORSEMENT OF CoMO-CAL BY DONALD DEVORE

My name is Donald R. DeVore. I have dedicate my life to helping owners of manufactured housing. The goal of my 30 years of work has been to provide the owners of manufactured housing the same rights and protections under the law that all other homeowners and property owners have.

From 1980-1986 I was the State Director of the Rocky Mountain Mobile Home Owners League. In 1980-1982, we were able to get manufactured housing classified, regulated, assessed, and taxed as real property in Colorado. Colorado was the first state to accomplish this. One reason we accomplished so much is that all homeowner associations in our state supported us and worked together.

We also worked with other statewide organizations like GSMOL of California. One problem we note today is the fact that organizations are not working together for the betterment of homeowners nationwide. Many organizations have alienated themselves from each other and lost the focus of their true mission. Over the last 10-15 years, GSMOL has dropped from a membership of about 100,00 members to about 16,000 members. I feel this is due to the poor leadership and mismanagement of the organization. It is obvious homeowners do not support GSMOL as this serious drop in their membership indicates.

I have worked as a consultant with many homeowners organizations, government officials, and government agencies the past 28 years. Today, I have affiliated myself with an organization I feel does represent Californians who own and live in manufactured housing. This organization is the Coalition Of Mobile-home Owners-California (CoMO-CAL). It is my opinion that they are doing everything possible to help those who own and live in manufactured housing. the more homeowners who join their organization and support them, the more they can accomplish. Their organization is growing rapidly due to the support of homeowners.

I hope that Californians will support this organization and join their effort to obtain the same rights and protection under the laws for all Californians who own and live in manufactured housing.

God Bless,

Donald R. DeVore

### WHAT WE'RE WORKING ON FOR DECEMBER

How to form a residents group in your park—step by step guidelines.

Guidelines and information on purchasing your park.

Condo conversions—what's happening around the state.

Let's start challenging those Rules and Regulations that are unreasonable or illegal.

Problems with manufactured homes? Beware of the defects - let's compare notes..

We continue to work making contacts around the state. We are in touch with parks in Loma Linda, Banning, Santa Maria, Watsonville, and many other areas.

(Continued from Front Page –What others say about 90)

**The Terror of Prop. 90** San Francisco could see an end to rent control — and minimum-wage requirements and a lot of zoning regulation and environmental protection laws and much more — if Proposition 90 passes this November. We could see an end to limits on condo conversions and an end to requirements that developers build affordable housing units and even an end to limits on the height and density of new developments. That's because Prop. 90 is a clever trap that purports to restrict the use of eminent domain but in reality eliminates all government regulation of land use. Prop. 90 really says little about eminent domain; it just uses the notion of restricting the ability of government to seize private land as the bait. Most of the initiative is aimed at ending all government regulation of property. Its concept is simple: if any government regulation reduces the actual or potential value of property — even by a dollar — then the government would have to reimburse the property owner the difference. Prop. 90 is by far the worst measure on this year's ballot; in fact, it's the worst measure to come along in quite some time. It's a plot by right-wingers to gut the ability of government at any level to force businesses and property owners to accept even basic standards of behavior in the name of the public good. The measure hasn't gotten a whole lot of media attention, but defeating it should be a top priority for every decent Californian. (September 19, 2006 By Ted Gullicksen OPINION)

**Prop. 90 hammer can't fine-tune law** LIKE many initiatives before it, Proposition 90 - an effort to fix problems with eminent domain after the Supreme Court's controversial Kelo vs. New London ruling - applies the sledgehammer treatment when just a tightening of the screws would do fine. It's unfortunate when a legitimate problem in search of a straightforward solution is hijacked by an overzealous, misguided and costly agenda. But that's exactly what's happened with Proposition 90. The potential for abuse is so widespread, it's almost impossible to quantify the bottom line for taxpayers. We hope we never have to find out just how costly it really is. Californians deserve protection from eminent-domain abuses, but Proposition 90 would create far more problems than it purports to solve. It deserves to be soundly rejected by voters on Nov. 7. BY BOB SCOTT, Guest Columnist [Los Angeles Daily News 10/04/2006](#)

**Web of advocacy groups funnels millions to pass property rights initiative** Today, a front page investigative report by *San Francisco Chronicle* reporter Patrick Hoge exposes the complicated and shady web of out-of-state organizations bankrolling the campaign in support of Proposition 90. Hardly a grassroots movement, the *Chronicle* reveals Yes on 90 is bankrolled by a network of tax-exempt advocacy groups that "operate with varying levels of openness" and all with ties to New York real estate mogul Howie Rich, who "is funneling millions of dollars to the (Prop. 90) campaign... in a way that cloaks the identity and number of financial supporters." A number of political-finance and watchdog organizations are quoted in the *Chronicle* article using terms such as: "**deceptive**", "**secretive**", "**smells bad**", "**money-laundering scheme**" and "dirty". [Patrick Hoge, Chronicle Staff Writer](#) Thursday, October 5, 2006

**Prop. 90 is by far the worst measure on this year's ballot;** in fact, it's the worst measure to come along in quite some time. It's a plot by right-wingers to gut the ability of government at any level to force businesses and property owners to accept even basic standards of behavior in the name of the public good. The measure hasn't gotten a whole lot of media attention, but defeating it should be a top priority for every decent Californian. SFBG (continued on Page 5)

(Continued from Page 4) **Prop. 90 really says little about eminent domain..**

**Housing for seniors and low-income individuals would be jeopardized** because all rent control ordinances, condominium conversion limits, mobile home park protections, and affordable housing requirements will be too costly to implement. [Noprop90.com](http://Noprop90.com)

**Don't be fooled by Prop. 90, an anti-environment stealth measure passed off as a 'protect your home' initiative.**

Prop.90, backed by right wing nut jobs, is supposed to undo the terrible Kelo decision made by the Supreme Court which allows cities to use eminent domain for private purposes. But the cure of Proposition 90 is worse than the disease the Court inflicted upon us.

Prop. 90 doesn't just undo Kelo, it creates a whole new set of consequences that would abolish the ability to protect our coastline, open space, farmland, air and water quality and will cost taxpayers billions of dollars in lawsuits and fund payouts to wealthy land owners and developers.

In fact, the prospect of another four years of Governor Arnold Schwarzenegger isn't the scariest thing (on the November ballot). That designation is reserved for Proposition 90.

### **CoMO-CAL's Last Word on Prop 90**

#### **We Can't Afford to Ignore the Fine Print – Vote No on 90**

As advocates for mobile home owners across the State of California, we realize the disastrous consequences if Proposition 90 passes. Future rent stabilization ordinances would be unconstitutional, and rent control, presently protecting mobile home owners in about one hundred cities and nine counties, would be at risk as well as other protections we enjoy today. The passage of Proposition 90 could result in many seniors and low income families losing their homes. Ultimately one million mobile home owners could lose billions in equity overnight and others could face millions more in higher rents.

And the hidden agenda has other far reaching affects. Take a look at Oregon's Measure 37 passed last year and the over 2200 claims seeking over \$5 billion dollars in compensation. We simply can not ignore the fine print. Let's curb eminent domain, but let's have some patience and wait for an initiative WE CAN ALL SUPPORT. Vote NO on 90.

They insist homeowners already are protected from such government intervention, noting that local redevelopment agencies are prohibited from using eminent domain to take private homes. (by **Frank Wodley, CoMO-CAL. Comment published in Sacramento Bee against article:** Another View: Yes on 90: Eminent domain must be curbed By Doug LaMalfa - Special to the Bee Published 12:00 am PDT Saturday, September 30, 2006

**PLEASE VOTE THIS NOVEMBER 7TH**  
**& VOTE NO ON PROPOSITION 90**

### INFORMATIONAL FLIERS

We now have a growing list of “informational fliers” available to our members. **Please help us distribute them to your friends and neighbors.** We can’t do it without you. If you truly want to be part of our Coalition and make a difference, request one or more of these fliers and pass them out in your park. Requests should be based on problems in your park, i.e. if management is removing older mobile homes, then flyer #1 “Removal of Older Mobilehomes/Upgrade of the Park” would help your friends and neighbors understand what the law really says. We only ask for a donation as we have printing and mailing costs.

1. Removal of Older Mobilehomes / Upgrade of the Park:

Read what Senator Dunn, Sal Poidomoni (HCD Riverside) and attorney Stuart Parker say about removal of older mobilehomes. AGE IS NOT A CRITERIA. Only Health and Safety issues are involved. Get an HCD inspection before you sell to protect yourself.

2. Getting New Rules and Regulations:

Read what 798.74 says about new rules and regulations. Above all do not sign them. Most are written by the park attorneys who have never seen the park. Most are not used to protect us and make our lives any better. Most are used against us.

3. Sellers Guide by Clay Harrison:

Read what Clay says about selling your mobile home. This is probably the time when park owners and managers break most laws. They are after your space and will make it difficult for you to sell..

4. Complimentary Newsletter:

Read about current happenings around the state. Get answers to the current questionnaire. United we stand, divided we fall. Learn about our legal fund.

5. Loss of Rent Control:

Read what Jim Holmes, Ventura attorney, has to say about the “Protect Our Homes Act.” He believes it could eliminate rent control statewide as well as the Mobilehome Residency Law, and other protections we have today.

6. WMA Code of Ethics:

Let’s hold our management to this Code of Ethics. If your manager is abusive, they need to be notified.

7. Don’t be a Victim.

8. Getting New Rules and Regulations.

9. Trees and Driveways.

**WHAT SHOULD YOU DO?**

1. If you own a mobile home older than 1974 and the park asks you to move it out of the park rather than sell it, what should you do?
2. If the park gives you a 7 day notice, what should you do?
3. If you receive a 3 day notice to pay or quit? What does it mean? What if you let the 3 day period elapse?
4. If management puts out a park newsletter saying there is a new park rule.
5. If you have a tree that needs to be removed from your space.
6. If you receive a 14 day notice?
7. If the park boots your car and demands payment to remove the boot.

**ANSWERS TO ISSUES**

1. Age is not a criteria to make you move your mobile home. Only health and safety issues. Call HCD for an inspection. Call CoMO-CAL and alert us.
2. First of all, you must know the legal consequences of violating a seven day notice. See Civil Code 798.56(d). If you receive three seven day notices within a 12 month period for the same rule violation, the park can give you a sixty day notice to vacate.
3. A 3 day notice is serious. Every effort should be made to pay within the 3 days; otherwise the park can and will serve you a 60 day notice of eviction. Ultimately, you could lose your home if you are not careful.
4. The park rule would not be valid. The park must hold a meeting and invite all residents for any new rules or regulations. We suggest you do not sign them. They will be effective 6 months from the date of the meeting.
5. If the tree poses a health and safety violation, ask the park to take care of it. If they refuse, make a complaint to HCD and they will come out and inspect.
6. The park may issue a 14 day notice if you have neglected the maintenance of your space. If you do not take care of the problem within the 14 days, the park may do it for you and charge you a fee.
7. There is legislation pending in Sacramento. It will make booting by the park illegal. At least one park has booted cars parked on the street and asked for a fee (up to \$75. to remove it)

**We intend THE VOICE to be informational, i.e. to inform you about happenings around the state and to educate you about important issues.**

**IF YOU DO NOT KNOW WHERE TO TURN, CALL CoMO-CAL AT 1-800-929-6061**

## AROUND THE STATE

### Torrance: Torrance tried to help park residents

Mike Mauno, before he left the City Council, saw the need of seniors in Knolls Lodge and started negotiations to reduce our rent before leaving office. Our new Mayor Frank Scotto successfully negotiated a rent reduction of \$63, fulfilling a campaign promise. Did Kort and Scott and Sierra Corporate Management reduce the rent by that amount? No. they gave us a credit off our total rent statement (including electric, gas, sewer, trash) which leaves the base rent the same for next year's 3 percent increase come June 1.

Not all residents received the \$63 reduction as they should have. If a resident had signed a lease, corporate gave them a reduction of \$36 to \$53. But so far, no resident has received any reduction going back to June 1 which was agreed upon.

In retaliation the park managers (imported from Arizona, as though no one local needs a job) are now hammering all residents with 14 cleanup notices; issuing mass "rules" violations from parked bicycles, skirting and weeds; rescinding the 10 percent senior discount; demanding building permits going back to 1968 and taking away reserved parking spaces (which were assigned on the purchase of the home) and now charging us \$70 extra. Yet it's perfectly OK for Kort and Scott to neglect their own mobile homes given to them by seniors they have economically evicted by failure to maintain weeds, trash or sand piles, or providing paper towels, toilet-seat covers, soap and toilet paper in the public restrooms.

One resident has the main sewer running underneath her bedroom and for six years has complained of backed-up toilets and gas odors. The new managers now insist she close up the skirting the previous manager insisted be left open to keep the ground dry. The resident now sleeps on the living room couch to avoid the odors.

Phil Shuman on KTTV Channel 11 covered three California parks having the same problems. Sept. 12, Sid Garcia on KABC Channel 7 covered a senior Tustin park where the rents have doubled and the Catholic Church is bringing in food daily to keep the seniors alive. All these parks are owned by Kort and Scott, Sierra Management. Never in my life did I foresee getting caught up in this quagmire.

What do we learn from this? Power and greed are as addictive as crack cocaine and it's disgusting that the richest, the most powerful and God-giving country in the world offers no protection for these seniors. It's shameful!

We the residents in these parks don't fear Islamic terrorists. We fear far more corporations like Kort and Scott and Sierra Management, which thrive on the destruction of human beings!

Thank you, Mayor Scotto. You really tried to help us, but Kort and Scott are so ruthless, they will stop at nothing less than owning Torrance and the whole of California. You know, just like Enron!

-- LEO LEWIS, Resident of Knolls Lodge, Torrance

### Owners taking advantage of seniors

Regarding the September. 24 letter to the editor by Leo Lewis I wish to comment on the management company of Knolls lodge mobile home park in Torrance.(Continued on Page 9)

**(continued from Page 8, Owners Taking Advantage)**

Someone failed to teach Kort & Scott financial group to have respect for the elderly. What else would motivate Kort & Scott to purposely hurt senior citizens by raising their rents to a degree of unaffordability, especially for those who are living on fixed incomes? Not only are the rents raised to ridiculous amount, but the park kept in shambles with no change seen in the foreseeable future.

Kort & Scott has just about told the city of Torrance to take a long walk on short pier after mayor Frank Scott asked them to give park residents some relief. Then continue to pressure knolls lodge residents for more money and continue to provide the residents with less service and worse living conditions. These guys need to hang their heads in shame, for they just don't get it. This is American, not a Third World country. It is a very sad commentary when the American people are forced to enact laws just to protect us from people like Kort and Scott.

Why doesn't the City of Torrance hire a lobbyist to go to Sacramento in January to lobby the Senate and Assembly for new laws to prevent developers and the like from taking advantage of this country's senior citizens, or at least California's seniors? That would be a service to all, as all of us will be seniors some day. **Article by William Smalley, Carson Harbor Village, Carson.**

### **Huntington Beach: Huntington Beach will go to court over park owners' opposition (to conversion ordinance).**

Negotiations have crumbled in a lawsuit challenging a city ordinance that could force mobile-home park owners to pay residents millions of dollars to shut down their parks. Mayor Dave Sullivan on Monday night told a crowd of mobile-home residents that the city would defend the law in court.

Owners of three mobile-home parks are among a group that sued the city in June – less than two years after the law was adopted to protect the city's nearly 6,000 mobile-home residents and preserve the 17 mobile-home parks as low-cost housing.

The law requires park owners who want to shut down the communities to relocate residents to a comparable park within a 20-mile radius or pay residents the market value of their homes.

Park owners claim the law violates a state law that requires relocation costs to be reasonable and imposes "an extreme and undue hardship," according to court documents. One of their attorneys, Mike Liefer, likened the law to eminent domain. "It's a taking," Liefer said. "The city is improperly ... trying to take value from a property owner to implement what amounts to be a public use."

Now, cities across the state with similar laws on the books will be looking to Huntington Beach to see how their ordinances will stand up in court. A court conference is set for Oct. 30.

Huntington Beach is the just the latest in a string of Orange County cities to consider the threat of mobile-home park closures. Most recently, in March, the owner of Seaclyffe Mobile Home Park in Newport Beach decided to close the park, affecting 103 mobile homes, and city officials required the owners to pay relocation costs.

**Excerpt from article by JENNIFER MUIR and DAVID LETTIS. THE ORANGE COUNTY REGISTER**

(Around the State—continued from Page 9)

**GOLETA: UNDER ONE ROOF** . By [Indy Staff](#), Sept.14, 2006

Santa Barbara tenants who lose their digs due to demolition or condo conversion could soon be eligible for up to three months of free rent or \$4,000, courtesy of their landlords, if a proposed ordinance wending its way through the City Councils Ordinance Committee is approved by the whole council. The Ordinance Committee rejected arguments from the Santa Barbara Rental Property Owners, which urged a less generous allowance and exemptions for demolitions involving fewer than five units. (If the ordinance with the five-unit exemption had been in effect, the measure would have provided protection in only three of the 96 teardowns and conversions of the past five years.) Councilmember Grant House sought to include conversions of modest apartments to luxury apartments in the measure, but failed to convince Council members Brian Barnwell and Iya Falcone.

In a major legal victory for the more than 500 trailer dwellers in Goleta, U.S. District Court Judge Florence-Marie Cooper upheld Goletas mobile home rent control ordinance. Rancho Mobile Home Park owner Daniel Guggenheim sued Goleta in 2002, claiming that park residents who own the trailers but rent the land they sit on fetch high prices for trailers located in rent-controlled parks, thereby taking profits that are rightfully his. Judge Cooper sided with Guggenheim in 2004, but reversed her ruling last week in light of two recent Supreme Court decisions *Lingle v. Chevron* and *Cashman v. Cotati* that rendered the citys ordinance a legitimate land-use regulation, according to Goleta attorney Bruce Gridley.

**Santa Monica:**

Residents in Village Trailer Park are fighting to keep their park open. The owner issued a notice giving residents 12 months to vacate. Santa Monica City attorney, , has come to their rescue. One elderly resident committed suicide and left a suicide note explaining he was upset with what was happening with the park, among other things.

**Santa Barbara:**

Ron Castillo just wanted to upgrade his mobile home in Santa Barbara, so he purchased an Advantage home, and it was “down hill” from there. Full story will appear in next months THE VOICE. Ron Castillo is now renting a \$2000/month home and has essentially lost everything battling Advantage Homes.

**Pacific Palisades:** Residents of Palisades Bowl have formed a group to fight their Park Owner who has started the process of a condo conversion. The group is working hard and already have had their cause televised at least twice. They want all mobile home owners in the City of Los Angeles to support their efforts to get a moratorium on condo conversions. We support their efforts.

**Banning:** Residents of Mountain Springs have been receiving large rent increases and have formed a home owners association to pressure the City of Banning to adopt a rent stabilization ordinance. However the City is moving slowly. If Proposition 90 passes on November 7th, ANY NEW ORDINANCE would be unconstitutional.

Editor’s Note: Mobile home owners around the state are having to fight to maintain their way of life. Our only hope is to unite! Tell your friends and neighbors to join CoMO-CAL and be informed!

### STATE WIDE RENT CONTROL—FACT OR FICTION?

There has been a flood of statements recently about “state-wide rent control.” CoMO-CAL asked John Tennyson, Senator Dunn’s right hand man and this is his response:

With the additional information you provided below – I can NOW tell you that what these folks are talking about is the conversion of a rental mobilehome park to resident ownership using Government Code Sec. 66427.5 – **it is a state code section but it is NOT state rent control.**

This section provides that a local government is limited in terms of imposing conditions on a park conversion to a subdivision or condo park under the Subdivision Map Act to requiring: 1) a survey of resident support and, 2) imposing conditions whereby lower income (using HUD guidelines) who don’t buy in will be protected by a ‘rent covenant’ holding rent increases in the CPI. Homeowners with incomes above the guidelines, who don’t buy in, are not protected other than their rent can be raised over 4 years after conversion to market rents. Most folks in parks converted to a condo in this fashion are not well off but are somewhat above the HUD low income guidelines – so their rents would not be controlled other than the phase out over 4 years. This section was enacted some years ago on the premise that a conversion would be initiated by residents in most cases who want to buy the park, to make it easier and more affordable for the residents to convert. When the park is converted the above formula can then be imposed by the local government but not their general rent control ordinance effective on everyone in the park, so it becomes sort of a rent control decontrol thing.

In recent years, however, some park owners have seized upon this law to initiate a conversion themselves – setting the prices of the spaces high enough so that only a handful of residents can afford to buy or want to buy. This started a few years ago in Palm Springs, in a celebrated court case that went to the Appellate Court involving the so-called El Dorado Park. **The City of Palm Springs was concerned that the park owner was only interested in using this so-called conversion as a means of exempting the park from the city’s rent control ordinance** and imposed various conditions upon the park before it could convert, such as a requirement that 51% of the spaces had to be sold to residents, and that a financial assistance program for lower-income buyers be established, etc. – before the city would approve the conversion. **The park owner sued and the city ultimately lost, and the conversion went forth.** GSMOL responded with attempted legislation in 2002 to give local governments more power to impose conditions on such conversions – by park owners – to assure they were “bona fide” resident conversions. This is where the survey requirement came in – but it is questionable whether it is being properly applied. Since El Dorado, there have been a few other parks we know of where park owner conversions to condo parks have been initiated – two in the City of Carson, one in Pacific Palisades. I was not aware of the Vallejo park case. All of the cities where these parks are being converted have mobilehome rent control – so GSMOL thinks it’s a means for parks to get around local control. I understand that GSMOL may be considering new legislation for 2007 to give locals even more power to regulate park owner conversions under 66427.5 – I am sure it will be very controversial. If you know the name of the Vallejo park, let me know – I like to keep abreast of these things.

Hope this helps to explain this rather complex issue.

John T

## KNOW CoMO-CAL & WHAT WE'RE ABOUT

### COMMUNICATION

Communication brings knowledge. Knowledge brings POWER. COMMUNICATION = POWER.

How do we communicate? Through our monthly newsletter THE VOICE and of course our website at comocal.org. We also send emails to many members who are active and helping out. We believe it is important for everyone to be informed. Everyone can be informed through CoMO-CAL.

### THE VOICE

Remember, THE VOICE is YOUR VOICE. We welcome newspaper articles, park newsletters, and articles written by our members or other mobile home owners. We welcome your letters and emails. Please tell us about your park, whether or not you have an active residents group. Tell us about your accomplishments.

### THE WEBSITE AT comocal.org

Our website accomplishes two goals. To promote CoMO-CAL and to communicate with our members who have access to the internet. If you have internet, consider getting a "user name" and "password." This allows you access to the "members only" section of comocal.org where you will find an archive of all past newsletters—now about 21 in total. Many older newsletters have information useful to you today!

### WE NEED YOUR INPUT

Remember, COMMUNICATION MUST BE TWO WAY. Most organizations communicate very little. They may keep you informed about new laws being proposed, but there is much more going on than new laws. Some organizations do not even have a newsletter! We are different!

### WE WANT TO ENABLE YOU

We never bargained for our life today as owners of mobile homes. Many park owners are not satisfied making an excellent return on their investments; they want more. Often times they are not satisfied until they evict us and take our homes.

So what can you do? A good first step is forming a residents group in your park. Without organization, you will have a hard time making any progress. The next step, join CoMO-CAL. We can give you direction. We can answer many of your questions. If we don't have the answer, we have many resources to ask—our attorneys, our members, and other groups we have aligned with.

**VOTE NO ON PROPOSITION 90**

**CoMO-CAL THIS AND THAT**

1. Questionnaire. Please take a few minutes and fill out the questionnaire on the next 4 pages. When finished, please mail it to CoMO-CAL. We will share the information gained in a future THE VOICE. Remember, communication is very important. We need to hear from you.
2. Please get your renewals in on time or early. This saves us time and paperwork—we don't have to send renewal notices out. Think about joining for more than one year. Remember, dues are \$27.50 for two years, and \$40.00 for three years. Your newel date in on the top of your mailing label.
3. We welcome the many new members who have joined this last month. Residents from Mountain Springs in Banning, Valle Verde Courtyard in Chatsworth, the Association from Tahitian Terrace in Pacific Palisades, Terry's Mobile Home Park in Chula Vista, Village Trailer Park in Santa Monica, Colony Cove in Carson, and many more. Please know we are here for you. Do not hesitate to call or email if you have a question, issue, or whatever. We're happy to hear from you.
4. We need representatives around the state. Please volunteer. We will send you business cards and will support you getting the word out to the many mobile home owners—we are here for you.
5. We need volunteers to help identify sources of grants. Remember we are a 501(c)3 tax exempt organization. This allows us to get grant money to support our efforts. Please volunteer some of your free time to help us in this and other areas.
6. We thank Donald DeVore for his endorsement of CoMO-CAL. Donald knows we are working hard to help mobile home owners around the state of California. And he knows we are receptive to our members and welcome their participation. Thanks Donald very much!
7. Website: Remember we have a website at [comocal.org](http://comocal.org). The members only section contains ALL editions of THE VOICE. Each month is posted approximately one week before the first of the month, so if you want to read THE VOICE early, go to our website. It also contains current information on Proposition 90.
8. Tell your friends and neighbors: "Be informed, know what's happening around the State. It DOES affect your life today as a mobile home owner. We are ALL involved, just by the fact we live in a mobile home park. Join CoMO-CAL and do yourself a favor. Remember, we are strong only if we are UNITED."

**VOTE NO ON PROPOSITION 90**

**WE CAN'T MAKE A  
REAL IMPACT  
WITHOUT YOUR SUPPORT**

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**PLEASE VOLUNTEER OR DONATE  
HELP US CONTINUE OUR EFFORTS  
TO INFORM AND EDUCATE**

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**DO IT FOR YOURSELF  
LET'S UNITE ALL  
MOBILE HOME OWNERS  
IN CALIFORNIA**

**LET'S MAKE IT HAPPEN Editorial by Frank Wodley**

This is our chance to really make a difference. For the first time ever, mobile home owners in California have an opportunity to be informed and educated. THE VOICE is only the beginning. In fact with membership growth, THE VOICE can become regional. What does that mean? It means that YOU can supplement THE VOICE with information from your local area - perhaps THE VOICE will expand to thirty pages or more.

What is the saying? "Build it and they will come." Well we have the means to expand THE VOICE into local areas. Information can be passed by email, back and forth. CoMO-CAL can continue to publish THE VOICE, and can incorporate a special local section for each area.

So how about it? All we need is someone willing to get involved. Someone that is good at writing and knows computers. Step up and be the first to provide your area with THE VOICE with a local section of news and information.

And if we do MAKE IT HAPPEN, more and more mobile home owners will join our growing family. They will be informed; becoming more knowledgeable about their rights as owners. And our voice will finally be heard around the state! Power to mobile home owners!!!

## QUESTIONNAIRE

Here is your chance to communicate with us. We ask ALL members to complete this Questionnaire. We will share the results in a future THE VOICE. We want and need to hear from you. Simply tear these two pages and mail them to CoMO-CAL, P.O. Box 4821, Chatsworth, Ca. 91313

THANK YOU!

### Questions about THE VOICE

**Rate the mailing of THE VOICE: Do you receive it:**

- By the 1<sup>st</sup> of the month in good condition
- Seldom by the 1<sup>st</sup> of the month
- Often in poor condition
- I would rather get it by e-mail
- Other (describe in Additional Comments)

**Rate the Content of THE VOICE:**

- Poor
- Average
- Good
- Excellent

**What kind of content do you like most?**

- Newspaper articles
- Description of the MRL & Laws
- Editorials on park owner strategies
- CoMO-CAL This and That
- Other (describe in Additional Comments)

**Is there content you want but haven't seen?**

- Yes       No

**If you answered YES, describe (on another sheet of paper) what you would like us to include in THE VOICE:**

**Is the content & length (check boxes that apply):**

**Length**

**Content**

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/> Too Long   | <input type="checkbox"/> Too Technical      |
| <input type="checkbox"/> Too Short  | <input type="checkbox"/> Hard to understand |
| <input type="checkbox"/> Just right | <input type="checkbox"/> Too Simple         |
|                                     | <input type="checkbox"/> Just right         |

**How many pages would you like to see?**

\_\_\_\_\_ pages

**Would you like to see more content about your park or parks in your area?**

- Yes       No

**Will you help us with your area?**

- Yes       No

**Tell us why you read THE VOICE (check boxes that apply)**

- For entertainment only
- To educate myself about laws and happenings around the state
- I read it cover to cover
- I read only those articles of interest to me
- Other—describe in Additional Comments

**Do you think all mobile home owners should get and read THE VOICE?**

- No                       Maybe  
 Yes                       Absolutely!

**If you answered Yes or Absolutely, would you tell your neighbors and friends?**

- No                       Maybe  
 Yes                       Absolutely!

**Can we send you complimentary copies of THE VOICE to give out? How many?**

- No                       Yes  
If Yes, # of copies: \_\_\_\_\_

**We have other informational fliers. Check which you would like to distribute:**

- Sellers Guide  
 You Don't Have to Move your Older Home  
 Introduction to CoMO-CAL/Applications  
 Complimentary Newsletter  
 Other: \_\_\_\_\_

**Are you interested in information about other state-wide organizations?**

- Yes                       No

**If Yes, what groups do you want to hear about?**

- Tell us more about CMRAA  
 Tell us more about GSMOL  
 Tell us more about MHOC  
 Tell us more about \_\_\_\_\_

- No, don't tell us about other organizations.

**Do you belong to another organization?**

- GSMOL  
 MHOC  
 CMRAA  
 Other Local Organization called \_\_\_\_\_  
 No, I don't belong to another organization

**Do you want more information on:**

- WMA—park owners group  
 MRL—Mobile Home Residency Law  
 What's going on around California  
 Other parks/organizations in my area  
 Other (describe on another sheet)

**How well is CoMO-CAL doing?**

- Not well - of no value to me  
 Average  
 Good  
 Excellent—a breath of fresh air

**Will you renew?**

- No                       Yes

**CoMO-CAL WEBSITE (comocal.org)**

**Have you seen it?**

- No                       Yes

**Rate the Content of the website:**

- Poor                       Average  
 Good                       Excellent

Suggestions (describe on an additional sheet)

## **TELL US ABOUT YOUR PARK**

### **How long have you lived in your park**

- Less than 1 year
- 1 to 3 years
- 3 to 5 years
- More than 5 years

### **Is your park a Senior Park or All Age?**

- Senior
- All Age
- Don't Know

### **Do you have rent control?**

- Yes
- No
- Don't know

### **Is there an organized group in your park?**

- Yes
- No

### **If yes, is it pro resident or pro management?**

- Pro-resident
- Pro-management

### **Do you know that CoMO-CAL will help you organize your park?**

- Yes
- No

### **Do you know that it only takes 4 residents to start an organized group?**

- Yes
- No

### **Would you like us to help you form a resident's organization?**

- Yes
- No

### **Do you live in a WMA Park?**

- No
- Yes
- What is WMA?
- I don't know

### **Tell us about issues in your Park (check as many as apply):**

- No issues, all is fine
- Management Problems
- Rent Increases
- Too many notices
- Too many unreasonable rules and regulations
- Problems with use of common areas (clubhouse..)
- The park does not maintain common areas
- The parks wants to upgrade and move out the older mobile homes.
- Too many evictions
- Interference of sales
- Manufactured home defects, etc
- Other (describe in Additional Comments)

### **If you have problems with management, describe them:**

- Harass residents
- Intimidate residents
- Threaten residents
- Other (describe on additional sheet)

### **Are you afraid or intimidated by management?**

- Yes
- No

### **Are you afraid you might someday be evicted or lose your home?**

- Yes
- No

## **TELL US ABOUT YOU**

### **What is your age?**

- Younger than 30
- Between 30 & 40
- Between 40 & 50
- Between 50 & 60
- Over 60?

### **Approximate Family Income:**

- Under \$10,000
- Under \$30,000
- Under \$50,000
- Over \$50,000

### **How many live in your home?**

Please indicate the # of adults \_\_\_\_\_

Please indicate the # of children \_\_\_\_\_

### **Would you volunteer (Check as many as apply):**

- To be the representative for your park
- To be the representative for your area
- To distribute materials in your park
- To write an article
- To help with your local section of the voice
- To help us get grants
- To let us know what's happening in your park or your local area
- To help with advertising or raising \$\$

Other—describe on additional comments

## **ABOUT CoMO-CAL**

### **Do you know we offer much more than just THE VOICE? In fact we offer the following:**

- 12 issues of THE VOICE
- Assistance seven days a week—by phone or email or snail mail
- Small claims court assistance
- A terrific website: comocal.org
- And the hope mobile home owners can have a voice and fight together for our rights.

### **How can we better serve you?**

- Come to our park & hold a meeting
- Give a lecture on an issue
- Help us organize a resident's group
- Provide legal assistance
- Provide additional services (describe below)
- Other (describe in Additional Comments)

### **Please provide the following:**

#### **Your name (optional)**

\_\_\_\_\_

**Space #** \_\_\_\_\_

**Park name:** \_\_\_\_\_

**City:** \_\_\_\_\_

**THANK YOU SO MUCH!**

**FINALLY: What if PROPOSITION 90 Passes—THE BOTTOM LINE**

**If you live in an area with rent control:**

- 1) It would not effect current ordinances and there is no language included in the Proposition that makes it retro-active, i.e. current rent stabilization ordinances would not be immediately affected.
- 2) Land owners would/could claim "economic damage(s)" by cities who have rent stabliization ordinances because they, land owners, are not able to receive the market rate for their rentals so the respective city would have to pay them the difference between the rent received under rent control and the market rate.
- 3) These differential, providing the damage suit was successful, would become an ongoing economic hardship on said cities.
- 4) The law of unforeseen consequences would them apply and many, if not all, cities with rent control ordinances would scuttle them just to keep from going into an economic abyss!

**If your area does not have rent control:**

In the past, when residents received a large rent increase, they might petition their local government to enact a rent stabilization ordinance that would protect them. If Proposition 90 passes, local governments would no longer be able to pass a rent stabilization ordinance . Without this option to residents, we predict park owners could begin pushing the envelope even more by giving larger, more frequent rent increases

**CoMO-CAL**

**(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)**

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

**NEW MEMBERSHIP APPLICATION (Print Please)**

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

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

MAILING ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_

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

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

SIGNATURE OF APPLICANT \_\_\_\_\_

Check # \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Money Order ( ) Amount: \$ \_\_\_\_\_

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

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

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

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

CoMO-CAL®  
P.O. BOX 4821  
CHATSWORTH, CA. 91313-4821

NONPROFIT ORG  
U.S. POSTAGE PAID  
CANOGA PARK, CA.  
PERMIT 617

## VOTE NO ON PROPOSITION 90



CoMO-CAL is a non-profit California Corporation dedicated to serving mobilehome owners in California. Our purpose is to educate, communicate and unite. We are MAKING A DIFFERENCE!

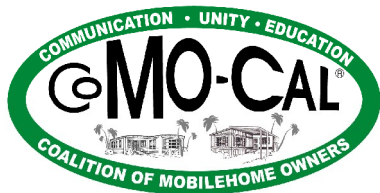


### NEWSLETTER EDITOR

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<http://comocal.org>

800-929-6061 / 818-886-6479



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**Our purpose is education,  
communication and to unite**

### SERVICES WE PROVIDE OUR MEMBERS

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

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