

THE VOICE

COALITION OF MOBILEHOME OWNERS

MAY/JUNE 2007 VOLUME 3 ISSUE 5

HEARTACHE IN MODESTO

By Frank Wodley, CoMO-CAL President

Sally Studer and a handful of dedicated ladies make up the Stanislaus County Mobile Home Owners Advocates. They have been working day and night for months. Their goal: rent control for mobile home owners in Stanislaus County. But an eleventh hour “deal” between representatives of Equity Lifestyle (Sam Zell’s group) and the county supervisors resulted in a unanimous vote against rent control. (Article next column)

So what does this mean? The ordinance had a roll-back provision which meant some mobilehome owners could afford to stay. Now they must certainly pack up and leave. Sally is one of the estimated 400 whose lives are now turned up side down. And where will they go?

ELS met with the supervisors, behind closed doors, without any mobilehome representatives or their attorney present. They offered to try a new “hardship” policy. In our opinion, too little, too late. Rents will eventually climb to “market,” with the park owner essentially totally controlling rents.

Here in Los Angeles, without rent control, our rents would double, equities would plummet and many home owners would be forced out of their mobilehomes.

Nothing can be written here to explain the far reaching effects of such decisions - they are tearing apart lives. We have even heard of suicides! This is TRAGIC!

County takes pass on rent control in mobile home parks

By TIM MORAN March 28, 2007

Stanislaus County supervisors pulled the plug on a draft rent control ordinance for mobile home parks Tuesday, despite impassioned pleas from dozens of park residents. The basement chamber at 1010 10th St. was packed to overflowing for the nearly five-hour meeting, at which many mobile home park owners argued against rent control.

The unanimous vote to halt action on the ordinance came a day after a meeting with representatives of Equity Lifestyles, the Chicago-based company that has been blamed for many of the rapid rent increases. Equity Lifestyles, or ELS, owns three mobile home parks in the county, in Ceres, Modesto and Riverbank. It has aggressively raised rents, doubling them in some cases, over the past few years, and some other parks have followed the company's example.

Mobile homeowner advocates say residents, many elderly or on fixed incomes, have been forced from their homes. The homes are expensive and difficult to move, and with high space rent, difficult to sell as well. ELS pledged to county and Ceres city officials in the meeting Monday that it would phase in rent increases so residents could adjust; reduce its consumer price index formula to calculate increases; and offer rent help to hardship cases on an individual basis.

That was apparently enough to sway Supervisors Jim DeMartini and Bill O'Brien, members of an ad hoc committee that concluded a few months ago that a rent control ordinance was needed. The

(Continued on Page 3 - County takes pass)

MAY/JUNE 2007

We are always looking for ways to serve you better. This month we begin including an index to THE VOICE, so you can see at a glance what articles might be of interest to you. Also the format of THE VOICE has been changed - let us know what you think, after all THE VOICE is YOUR newsletter.

Rent control and condo-conversions continue to be the “hot button” issues. Unfortunately there have been some setbacks. We are continuing to bring you information about purchasing your park and include another installment of Questions / Answers from the Senate Select Committee.

Finally we will experiment by publishing THE VOICE every other month beginning with this issue. We welcome your feedback!

PAGE 1 **CHANGES TO CoMO-CAL / THE VOICE / E-MAIL**
 PAGE 2 **INDEX / EXECUTIVE BOARD / CONTACT INFO**
 PAGE 3 **RENT CONTROL ORDINANCE-MODESTO-ARTICLE**
 PAGE 4 **LETTERS TO THE MODBEE—MODESTO**
 PAGE 5 **LAKE COUNTY / WESTWIND MHP**
 PAGE 6 **DUE DILIGENCE—IMPORTANT QUESTIONS
RESIDENTS NEED TO ASK**
 PAGE 7 **DUE DILIGENCE - CONTINUED**
 PAGE 8 **CONDO CONVERSIONS-SAN LUIS OBISPO/CARSON**
 PAGE 9 **WHY I FEEL WE ARE IN A WAR - DON DEVORE**
 PAGE 10 **GSMOL DEVELOPMENTS - BY FRANK WODLEY**
 PAGE 11 **ONE STEP BACK—BY FRANK WODLEY**
 PAGE 12 **QUESTIONS/ANSWERS - SENATE SELECT COM**
 PAGE 13 **QUESTIONS/ANSWERS - SENATE SELECT COM**
 PAGE 14 **QUESTIONS/ANSWERS - SENATE SELECT COM**
 PAGE 15 **QUESTIONS/ANSWERS - SENATE SELECT COM**
 PAGE 16 **QUESTIONNAIRE - WHAT HAVE YOU MISSED?**
 PAGE 17 **QUESTIONNAIRE - WHAT HAVE YOU MISSED?**
 PAGE 18 **CHANGES IN THE VOICE / PHILOSOPHY OF
COMO-CAL**
 PAGE 19 **E-MAIL ALERTS / COMOCAL THIS AND THAT**

EXECUTIVE BOARD

FRANK WODLEY
President
818-886-6479

ROSE ROSALES
Treasurer
818-886-6479

RALPH WEBER
Antelope Valley President
661-723-6997

STEVE MOLSKI
San Diego Representative
619-427-1221

NEWSLETTER EDITOR

FRANK A. WODLEY

E-Mail: fawodley@yahoo.com

<http://www.comocal.org>

818-886-6479 / 800-929-6061

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.

(County takes pass—continued from front page)

board voted to instruct County Counsel Michael Krausnick to stop working on the draft ordinance and refer the matter to the ad hoc committee to consider alternatives. "I believe we have reached an equitable solution with ELS," DeMartini said. "It's been a long time coming." O'Brien said he hated the idea of rent control, but felt something needed to be done to protect mobile home owners. "The outcome has to be protecting seniors in our parks," O'Brien said. "All I want is a solution. I want these people protected."

Jeff Fannon of ELS told the supervisors Tuesday that rent control was "a failed policy." He said his company was willing to consider extending the time residents have to bring rents up to what he called market rental rates, and also consider a new hardship policy.

Residents clamor for regulations

Comments from more than 40 people at the meeting were frequently emotional. "In the past decade, park owners have turned our pleasant and affordable lifestyle into a nightmare and a cash cow," said Judy Lawson, a resident of a park near Oakdale. "Park owners are destroying lives, and in effect stealing the homes of the most vulnerable citizens," Lawson said. "If this isn't elder abuse, I don't know what is. If more of us lose our houses, can this board tell us where to go?"

Not passing the ordinance will be costly to the county, said Linda Rigney, who lives in a park north of Modesto.

"As more and more residents leave their homes, they will be going into assisted living or nursing homes at great cost to the county," Rigney said. "We are losing affordable housing every day."

Owners call rent control punitive

A parade of mobile home park owners countered

that rent control was not the solution. It would punish the parks that are responsible, they said, and destroy the owners' incentive to maintain the park. Many of them said their rents were well under \$400 a month, and they had kept rent increases below 4 percent. "Try to find a solution that doesn't punish all of us," said Anthony Robinson, who owns a mobile home park in Turlock. Robinson said his rents are under \$325 a month, and annual rent increases are \$15 or less a month.

John Watkins, who owns parks in Modesto, Turlock and unincorporated Stanislaus County, said he has operated parks under rent control in Santa Cruz County. An effort to get a rent increase took six months of meetings, he said, and resulted in a \$5 increase. "I watched my (profit) margin go down, and the relationship with my tenants become adversarial," he said. "I do sympathize with the problems, but there are a variety of ways they can get the assistance they need and deserve. Rent control is a complete failure."

Bruce Stanton, a San Jose attorney representing a group of mobile home owner advocates, said after the meeting he was skeptical of the ELS promises. "I've dealt with ELS for many years," Stanton said. "I have very little faith in them." Stanton said he would have preferred that supervisors keep the ordinance alive while pursuing other solutions "to keep heat on these guys."

Susan Turner, a mobile home park resident and activist, said the problem goes far beyond the ELS parks. "The help needs to be right now, people are that close (to losing homes)," Turner said.

Bee staff writer Tim Moran can be reached at tmoran@modbee.com or 578-2349.

Editors Note: The Stanislaus Mobile Home Owners Advocates have vowed they will continue their fight. Many are unhappy the way the supervisors accepted a "back room deal."

Perfect solution for mobile home woes

Letter to the Editor, **Modesto Bee** 4/10/2007

Having been involved in the ongoing struggle between mobile home park owners, park residents and local governments in their efforts to enact a rent stabilization ordinance, I feel it's time to create the perfect solution, which should please everybody. Well, maybe not everybody.

The Board of Supervisors and the Modesto City Council should **acquire every mobile home park within their jurisdiction by right of eminent domain**, already sanctioned and approved by the Supreme Court. Compensate park owners at the usual rate, which should give them some idea of the pain the residents are feeling right now.

Install a resident manager to maintain each park and collect rents. **Declare all parks low-income housing and base the rents on residents' income. This would add needed low-income housing** to the already depleted pool, without the necessity of building it in neighborhoods where they don't want it. This would generate a sizable income for local governments.

Imagine, hundreds of spaces, maybe even thousands, paying a monthly rent. It boggles the mind. A committee could be appointed to oversee the parks. After all, what's one more committee among friends?

RAY NEWMAN Modesto

Join CoMO-CAL "Alert" Network

Send us an email (comocal@yahoo.com) and we will add you to our list of members taking advantage of our "Alert" e-mail network. This is an excellent way for us to communicate with you—and you can use it to tell us what's happening in your local area. Please join now!

Mobile Home Owners Stranded

Letter to the Editor **Modesto Bee** 04/09/07

To city (Modesto) and county (Stanislaus) officials: Equity Life Styles dangled the bait and you took it, just as they knew you would. By doing so, you instantly declared that those who couldn't meet ELS' unreasonable rent demands were "hardship cases" and in need of public assistance. What a degrading treatment of your elderly and veterans!

To the Board of Realtors: The number of mobile homes for sale continues to increase; hardly anyone is even looking, much less buying. The market is so saturated that many are no longer listed. Added to those whose owners had to walk away, the number of unoccupied, abandoned homes is also increasing. How can this possibly benefit your industry?

To the Chamber of Commerce: If you don't support us, how can we support your members? The more rent that residents must pay, the less they have to spend locally. And all that ELS rent money leaves the community and goes to Chicago.

To everyone: Mobile home residents don't like rent control, either, except when it is the last option to saving one's home and affordable lifestyle.

To the City Council: You can do better.

SANDRA L. CISSELL

Editors Note: Sandy lives in Coralwood MHP, controlled by Sam Zell. She is one of the hard working ladies that have been working for months trying to get rent control for the county.

League of California Cities

www.cacities.org

A terrific website for affordable housing issues.

LAKE COUNTY WORKS ON RENT/CONVERSION ORDINANCE

By Anita Sombs

In May of 2006, a mobile home task force was established for the unincorporated portions of Lake County (Clear Lake) in northern California. It is composed of three park owners, three park residents, two supervisors and one other member from the community at large.

The task force has investigated a memorandum of understanding from the City of Napa, and a long-term lease supposedly based on one used in Citrus Heights. The mobile home residents part of the task force has held a series of six meetings around Lake County and many of the seventy-six parks were represented at the meetings. The concept of the long-term lease was overwhelming rejected.

The mobile home task force is also working on a conversion ordinance. At the next task force meeting the long-term lease presented by Doug Johnson, WMA, will be discussed and declined by the mobile home residents part of the task force.

At long last, unless Doug Johnson has something else up his sleeve, we will be able to get to the subject of a rent control ordinance. The reason it is so imperative for Lake County to pass a rent control ordinance is that so many of our parks are situated on the shores of Clear Lake.

The investors of California real estate seem to be aware of the comparatively low land prices in Lake County and the beautiful views and clear air we enjoy.

In the past year twelve mobile home parks have been purchased by investors. With a large population of senior citizens living in these parks we are all sitting ducks for the vultures to swoop in and attack us.

Anita Sombs is a member of the mobile home task force in Lake County.

PURCHASE OF WESTWIND BY ROP, INC. - UPDATE

We understand the residents of Westwind MHP in Clearlake have prevailed and ROP, Inc. will not be purchasing their park after all. Remember our March 2007 front page article: (Clear Lake) Mobile Park's Rents Going Up By 40 Percent? In fact escrow was to close mid February, but it was extended to mid March.

We have been in contact with a Regional Manager of GSMOL who explained that the GSMOL Board of Directors asked Maurice Priest, president of ROP, Inc. "to abort the project." Maurice Priest is also GSMOL corporate council and their lobbyist in Sacramento. Apparently the park owners group WMA (Western Manufactured Communities Association) was "bad-mouthing GSMOL in Sacramento.

The residents of Westwind are now in talks to purchase their park through another group. Many groups exist who help residents with the purchase and financing. Please refer to the article by David Loop on Pages 6 & 7.

Forest Springs in Grass Valley Votes to Keep ROP, Inc. Out

After four months of uncertainty, the residents of Forest Springs MHP voted not to have ROP, Inc. represent them in a bid to purchase their park. The vote was 80% against, 20% in favor.

Four months ago ROP, Inc. wrote a three page letter to the GSMOL Board in Forest Springs requesting they spearhead an effort by ROP, Inc. to purchase the park. After holding the letter for three months, the board called a meeting of residents to vote, without giving residents anytime to reflect on the matter. Outraged, the residents organized in order to defeat any attempt by ROP to purchase their park. They were successful!

“Due Diligence” and The Financing of Resident Park Purchases by David Loop

Lately, a good idea seems to be spreading around California’s mobilehome parks. That idea is... *mobilehome park resident groups can buy the parks where they live.* I recently helped with the legal aspects of two successful resident park purchases in the Santa Cruz area. Since then, leaders in parks from around the state have contacted me. They all ask the same question: “How can we buy *our* park?” The benefits of resident park ownership are clear to them, but how to achieve it is not.

My answer is... to make a proper attempt to buy the park where you live, you need to Get Organized. Also, you must perform “due diligence” regarding *the financial aspects of the purchase.* I’ll cover the topic of “Getting Organized” in a future article. Today, I’d like to discuss Due Diligence. This is the process of gathering information about anyone who tells you, “I can arrange the financing for your park purchase.”

Resident leaders need to understand that acquisition of a mobilehome park is a significant business decision *for all of the park’s homeowners.* Unless your park is very small, millions of dollars are at stake. Finding money to cover most of the cost of the park and the purchase transaction is absolutely necessary. If you don’t find it, your group will never own the park.

Your chance of owning the park improves greatly if you hire an experienced “park purchase financial consultant.” In California, there are various financial consultants who offer this specialized service. It is not likely that you will find a suitable consultant in a bank, mortgage loan company or public agency, however.

As leaders, you need to ask important *business questions* of anyone who offers to help you find financing to buy the park. You need to investigate these consultants to determine if they can “do what they say.” You cannot take any consultant at “face

value.” Questioning and investigating a consultant is called “due diligence.” As a resident leader, you owe a responsibility to every homeowner in the park to do this.

Beware of consultants who say: “sign my contract... don’t worry - I’ll handle everything.” Beware, as well, of consultants who are vague about where the park purchase money will come from. The consultant needs to prove to you, *before you hire them,* that they have had *substantial* past success in getting mortgage financing for resident associations. They should be happy to reveal their financing sources to you.

I am frequently amazed how resident leaders in some parks hire a park purchase consultant without doing *any* due diligence. They ask no “business questions.” They don’t bother to investigate the consultant’s professional background (though it’s easy to do). Instead, they simply believe everything the consultant says – often to their great regret. Remember, your group will probably have *one chance* to find financing to buy the park. If you don’t succeed on your “first try,” it’s unlikely that the park owner will give you a second chance. It’s essential to get it right the “first time.”

After their attempt to buy the park failed, some resident groups have discovered the consultant actually had *no chance* of putting together the required financial package. The resident group’s opportunity to buy the park was lost. This unhappy ending might have been avoided by asking the right questions early on - and *before* hiring that financial consultant.

A “park purchase” consultant should be hired *only* if they can give satisfactory and *verifiable* answers to “business” questions, *and* after the resident group has thoroughly investigated their business history and practices.

Here are some important questions you should ask

any consultant who wants to help with your resident park purchase. Do not accept vague or incomplete answers to these questions:

-- How long have you been a “park purchase consultant” to mobilehome park resident groups?

-- How many parks have you helped convert to resident ownership?

-- Who owned these parks at the completion of the purchase? Were they owned by the residents themselves, or by some “outside” corporation?

-- Where are these parks? Please name them, so that we can contact residents there to learn how things have worked out.

-- When was your most recent park purchase completed? (Deals the consultant is *trying* to complete at the moment don’t count). Describe generally how mortgage financing was accomplished for that transaction. (If the consultant has not completed a deal lately, they may have problems arranging a mortgage loan in the current market).

-- Show us the specifics of how our park purchase would be financed. How much will need to be borrowed? Where will that money come from? Will it come from “private” or “public” sources? How much money would come from each source? Have you successfully arranged mortgage loans from these sources before? Give us some specific examples.

“Can you provide us with “expression of interest” letters from the lenders who would potentially finance our park purchase?”

Resident leaders should insist that *before* hiring him or her, the consultant produces accounting spreadsheets showing how the deal would work. *You have a right to know - and need to understand - this information.* The consultant should be ready to explain “purchase financing” for *your* park in detail. At the very least, the spreadsheets should include:

-- The price to be paid for the park (and an expla-

nation of how the price was calculated);

-- Source(s), amounts, estimated interest rates and terms for mortgage financing;

-- Minimum number of residents who need to participate for the purchase to succeed;

-- Amount each household would pay as a “down payment” (if any);

-- Any financing plans available for a resident’s “down payment;”

-- Total amount of equity required from the resident group;

-- Estimated new monthly “rent” payment for households *that participate* in the park purchase;

-- Estimated new monthly “rent” payment for those households that *don’t participate* in the park purchase;

-- Income and Expense schedule for park operations after the residents own it;

-- Amount of cash reserves the residents will have for repairs, emergencies, etc. after they own the park;

-- Closing costs for the transaction, including all fees or commissions to be paid.

Let me emphasize - the park’s resident leaders and homeowners deserve this detailed financial information **before signing any contract with the consultant.** After all, YOU are the folks that will be paying for the park!

You need to be informed consumers when you attempt to buy your park. Early in the purchase process, you must ask the right questions and do some investigation. As resident leaders, “due diligence” is not optional. It is part of your job.

David Loop is a real estate attorney and past homeowners’ association president at resident-owned Aptos Knoll Park, near Santa Cruz. You can ask him questions by sending an e-mail to deloop1@sbcglobal.net, or calling 831-688-1293.

County supervisors extend mobilehome park conversion ban

(San Luis Obispo)

Bob Cuddy The Tribune Mar. 27, 2007

Giving mobile home residents added relief, the Board of Supervisors Tuesday extended a 45-day ban on mobile home park conversions and closures by nearly two years.

The ban will now be in place until Feb. 27, 2009. In the interim, the county planning staff will research and prepare regulations for conversions and closures.

Among the questions planners will research are a permanent mobile home park conversion ordinance; incentives to protect existing new parks and encourage new ones; and possible creation of a new zoning category – the mobile home/residential category.

The vote was 5-0.

There are 2,600 spaces in the unincorporated county's 40 mobile home parks. An estimated 6,000 people live in the parks.

EVICTION DEFENSE NETWORK

This is just one group of attorneys we have listed on our website @ comocal.org. They contacted us, letting us know they have moved. Their new address is 1930 West Olympic Blvd. Suite 208, Los Angeles, Ca. 90057. In the San Fernando Valley, they are at 8741 Van Nuys Blvd., Suite 104, Panorama City, Ca. 91402.

On the web, they are at evictiondefensenetwork.org. They offer help to all on a sliding scale depending on your income.

Condo Conversion Moratorium

By Gene Maddaus Daily Breeze 4/22/07

To raucous applause, the Carson City Council unanimously approved a 45-day moratorium on condo conversions at mobile home parks on Wednesday night. The move had strong support from park residents, who fear that they will lose rent-control protections if their parks are subdivided and sold off space by space. "Outstanding," said park resident Luris Bell. "We worked and we saw it happen. It's like David and Goliath. The little Davids can win by being persistent."

The move is likely to prompt a lawsuit from James Goldstein, the controversial park owner who is attempting to convert both Carson Harbor Village and Colony Cove Mobile Estates. Goldstein's attorneys have already threatened to sue, though they may wait until after the moratorium comes up for renewal in 45 days. The city will continue to process the applications while the moratorium is in place. If the council does not extend it beyond the initial 45 days, it will have little practical effect.

Still, the moratorium is a significant change in course. The old council, under the leadership of Mayor Jim Dear, took a more cautious approach, focusing on seeking a change in state law. The new council, on which Dear is in the minority, chose to take a more confrontational stance at its first council meeting. "You don't have any idea how thrilled I am," said Councilman Elito Santarina, who spearheaded the proposal.

Santarina, who has clashed repeatedly with Dear over the years, was unanimously voted in as mayor pro tem at a ceremony Tuesday night.

In addition to passing the moratorium, several council members, including new Councilwoman Lula Davis-Holmes, said they want to hire a lobbyist to advance the city's interests in Sacramento. Sen. Ellen Corbett, D-San Leandro, and Assemblywoman Noreen Evans, D-Santa Rosa, have offered a bill that would give local governments much more control to prevent condominium conversions. Carson has already expressed support for the bill, and some officials are planning to travel to Sacramento to lobby in favor of it.

WHY I FEEL WE ARE IN A “WAR” by Donald DeVore

There has been some concerns regarding the title of my book laws “Mobile Home Wars.” CoMO-CAL has asked me to discuss why I feel mobile home owners ARE in a WAR with some park owners and managers.

First of all, there are several definitions of the word War(s) according to the Webster’s Dictionary. A couple are; 1. To be in active or vigorous conflict. 2. A state of hostility, conflict, antagonism, or a struggle or competition between opposing forces for a particular end.

From 1978 on, we were in an all out war between the owners of manufactured housing and the landlords in Colorado and many other states. Things were so bad in Colorado, the news media and government officials were calling mobile home parks “Concentration Camps.” Former Richard D. Lamm had to issue an executive order in 1980 for the Colorado Attorney General to investigate landlords and prosecute anyone who was violating state laws. Over 500 official complaints were filed with the Attorney General from the Denver area alone. About 300 complaints were filed from the Western Slope of Colorado by homeowners. There were major conflicts between landlords and homeowners over property rights. Most of the information about this is in my book, “Mobile Home Wars.”

At that time, mobile homes were personal property, and the homeowners had few rights as property owners. The landlords had more power and property rights than any homeowner. We did have a Mobile Home Landlord/Tenant Act, but it only treated us the same as apartment dwellers, not home owners. That is still the case today in 2007 in every state except for Texas.

It is my belief that in 49 states today, we still have a war going on between landlords and the owners of manufactured housing over property rights. There is one main reason for this. The owners of manufactured housing do not have equal rights, and equal protection under state laws that all other

property owners have.

In every state, all property owners who own buildings, structures, and yes, housing on leased land are regulated by Real Estate Land-lease or Ground-lease Laws EXCEPT for those who own manufactured housing. Many states use a Mobile Home Landlord/Tenant Law to regulate manufactured housing on leased land. This law was based on apartment dweller laws. In 16 states like Illinois, manufactured housing is classified and regulated the same as motor vehicles or personal property. In Illinois, and some other states, manufactured housing is regulated by the state motor vehicle departments, not real estate commissions.

The 14th. Amendment to the United States Constitution states; No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within it’s jurisdiction the equal protection of the laws.

Today in many states, we have organizations who represent the owners of manufactured housing who are fighting for equal protection, and equal rights under state laws for those who own manufactured housing. The landlords, their corporations, and their organizations are fighting every year to maintain their control over their property, and the property of those who own manufactured housing on leased land. This conflict that has been ongoing for about 40 years! YES, we are in a war over property rights. So far, the landlords have won most of the battles. If the owners of manufactured housing do not want to fight for their property rights, then give up your constitutional rights requiring states to provide you with your equal rights and protection, and surrender. If you do want to fight for your property rights, then join your statewide organizations like the California Coalition of Mobile Home Owners (CoMO-CAL) and support them.

Donald R. DeVore

GSMOL DEVELOPMENTS by Frank Wodley

This has been an interesting year for GSMOL. In the latest CALIFORNIAN, Tim Sheahan, GSMOL State President, writes of 2006 as a year of ups and downs. Tim has had to take over the duties of editor of the CALIFORNIAN now that Justin Pecot has left.

GSMOL continues to lose members and must cut services because of low membership. The most recent CALIFORNIAN covers a three month period from January to March 2007. "Without greater membership or increasing the amount of advertising, we cannot publish a full CALIFORNIAN every month." There is no indication when the next CALIFORNIAN will be coming out.

Tim continues: "(GSMOL) waged a successful defeat of Proposition 90."

GSMOL has a very short paragraph on the new initiative being proposed: "The Howard Jarvis Taxpayer Association has reportedly filed an initiative with the California Secretary of State..."

GSMOL's ELF fund is finally being used, after five years, to help a GSMOL member whose small claims win was appealed by the park owner in superior court.

Finally Tim appeals to GSMOL members to become part of the GSMOL Team.

NOW FOR THE FACTS

In fact, the battle to defeat Proposition 90 was waged by hundreds of organizations. CoMO-CAL was one of the first organizations to join the "No on 90 people," who raised over eleven million dollars. Yet Proposition 90 was only defeated by a narrow 5% margin.

If you remember, late February 2006, CoMO-CAL President Frank Wodley alerted GSMOL leaders after learning on February 24, 2006 that California Senator Tom McClintock was going to start gathering signatures to put an initiative on the ballot ...that will out-

law rent control.

CoMO-CAL continued to write about Proposition 90 a full eight months and mailed over 5,000 fliers into mobilehome parks alerting residents to vote NO on Proposition 90.

Regarding the "California Property Owners Protection Act," there have been three different proposals, the latest 07-0003 is waiting for a "Title and Summary" (Due 4/20/07) from the California Attorney General. The League of California cities has their own "eminent domain" initiative "Homeowners and Private Property Protection Act" which does not attack rent control.

Regarding GSMOL's Enforcement Legal Fund, it was initiated January 2002. GSMOL asked members to contribute \$10 per year for coverage. I've always been against the ELF fund, primarily for two reasons. First, the goal of \$250,000 to begin use of the fund was simply unrealistic. It would have taken over 10 years to reach such a goal, all the while not helping one member. Secondly, GSMOL never gave members a simple plan how the funds would be used and who would qualify. In fact when first introduced, the ELF fund would only be available if you had over 75% of all park residents in a chapter—a goal again out of reach!

GSMOL members MUST take an active roll in their organization. How many GSMOL members know that their Board of Directors decided a member would get NO CREDIT for ELF contributions in excess of \$10 over the last five years? And I'm sure many gave \$10 per year for a total of \$50. If I were GSMOL leadership, I would have at least given members an option—more coverage, or make anything over \$10 a donation to GSMOL or get their money back. Please, do not just sit back, participate in your organization or suffer the consequences! That applies to CoMO-CAL also! **Question/Question/Question!**

ONE STEP BACK - May 2004 Article by Frank Wodley, GSMOL Associate Manager

Editor's Note: This article was submitted to be published in the June 2004 Californian by then GSMOL Associate Manager, Frank Wodley. It was not published, even in edited form. We print it now as it shows the philosophy of CoMO-CAL - to have an "open" organization, one where members can actively participate, be heard and contribute.

It is our hope that GSMOL will become an open organization before it is too late. Be open to ideas and suggestions from members, publish BOD meetings in the CALIFORNIAN, and have VP's conduct open meetings with members. Loosen your iron grip and allow "new blood" on the Board of Directors. Above all, do not shun those with "counter views" - perhaps GSMOL wouldn't be in the mess it is today if George Smith and Milt Burdick had stayed!

Often we see articles in the Californian that focus on the denial and apathy of mobilehome owners. Do mobilehome owners realize the Devil's at the doorstep? Do they even care? Those of us who volunteer for GSMOL know this Devil is REAL. We know our neighbors need us, if not today, then perhaps tomorrow. However, sometimes our neighbors say they don't even want us! Are they too afraid or intimidated? More often than not park owners will try to get away with something, especially knowing tenants are weak and afraid. That's why GSMOL volunteers give so much of time, energy and often money. Each local chapter is fighting their private battle. Often times alone! Unless there are "failure to maintain" issues, local chapters usually go it alone.

GSMOL wants all mobilehome owners to support us (GSMOL); perhaps even "save us (GSMOL)". Often times we (GSMOL) blame others for our short-comings. However, is our focus in the right place? Perhaps we should try to **save ourselves!** Perhaps our focus (GSMOL) should be on US, not THEM. Perhaps every GSMOL member, every local board, every manager, and especially our President and Executive Board should take a **STEP BACK** and take a hard look at the GSMOL of today. Is there a secret plan to improve GSMOL that we don't know about? Our leaders certainly are doing something - or are they? As a manager and chapter President I can see that many members and local chapters do not feel supported by GSMOL. Yes, we have representation in Sacramento and we all appreciate the legislation that helps us. But we need more

than that and deserve more than that. The park owners tell people GSMOL can't do anything for residents, why bother joining? In a way the park owners are right! Isn't it about time GSMOL started winning these battles?

Getting our neighbors to join GSMOL would seem a "slam-dunk." After all GSMOL provides lots of important information and lobbies for new legislation to protect the investments of mobilehome owners. We've been told at the 2004 GSMOL Convention that mobilehome owners in California are protected by more laws than any other state! GSMOL has representatives throughout the State of California giving important support to mobilehome owners. Just the 12 copies of the Californian justify the \$20.00/year. So why on earth is it so difficult to get members? Don't mobilehome owners know there is a definite "strength in numbers". Maybe it's the name GSMOL. Maybe it is the history of GSMOL. Maybe management and park owners have waged a better campaign to discourage our neighbors from joining. Whatever the problem, **we need to quickly identify** it and find a viable solution.

We have a wealth of talent among our membership. The more our members are involved, the healthier our organization will be. Let's ask for their opinions, their observations, and their assistance. Let's all be more open to them. Let's set aside our egos and ask them to come to a GSMOL Executive Board meeting. Let's listen to them and value their participation! Chapter Presidents should poll their members. Vice Presidents should poll their managers. And we all should write and email. But does our Board have the time? If no one else will step forward, I will. Send me your opinions, observations, ideas, complaints, etc. Send them to Frank Wodley at fawodley@yahoo.com or 21500 Lassen St. Space #31, Chatsworth, 91311. I'll read them all and you will be heard at future Executive Board meetings in Garden Grove and elsewhere.

Let's face it, the time has come for GSMOL to do something about its image and effectiveness. Let's face it, GSMOL is struggling. More importantly mobilehome owners thru out the State of California are struggling and need our help. Isn't enough that they must battle management and park owners. Why must they also battle GSMOL.

20 Selected Questions & Answers on Common Mobilehome Park Issues From the Senate Select Committee on Mobile/Manufactured Housing

1. Pass-Through Fees

Q. The park has notified us they will be surcharging us for repaving the park streets, above and beyond what we pay for rent. Can the park charge separate "Maintenance" or "Pass-through" fees on top of the rent?

A. Yes, if the resident's lease or rental agreement – that they have signed – provides for assessments or fees for maintenance or other things. But if not mentioned in the lease, a new fee would have to be for a service actually rendered, such as trash pick-up, and would require a 60-day advance written notice. If the rental agreement does not include fees for certain maintenance or repairs in the park, the park could not legally charge them without the 60-day notice, as it would be a breach of the existing rental agreement. However, if they sign a new lease or rental agreement that includes these fees, residents are agreeing to pay them and will be subject to them. State law does not require a notice requirement for an increase in an already existing fee, although legislation attempting such regulation was passed by the Legislature and vetoed by the Governor (AB 2374, Umberg). Those local jurisdictions with mobilehome park rent control may regulate fees or pass-through costs which parks charge their residents. Some ordinances, for example, distinguish capital improvements from maintenance, allowing pass-through of certain capital improvements amortized over a period of time, but not maintenance. State legislation by Assemblywoman Patricia Wiggins a few years ago would have also written such a provision into state law but the bill died due to opposition from park owners and other property interests.

Editor's Note: Unfortunately a portion of the answer was not printed last month, so it is reprinted again in its entirety here.

2. Park Utility Costs

Q. Utility bills charged to residents in our park have skyrocketed recently and the local utility says park residents are not their customers and we can only speak to the park owner or management. Is there any recourse for utility overcharges in mobilehome parks?

A. Most parks are so-called "master-meter" operators, which own, operate and maintain the electric, gas and water distribution system within the park and bill their residents with the monthly rent statement. Although under the Public Utilities Code master-meter customers are supposed to charge no more than the serving utility, like Edison, would charge a resident, including passing on any low-income rebates or discounts, such as "CARE," enforcement is somewhat lacking. Residents can call County Weights and Measures (W&M) to have them check the accuracy of their meters and assure they have been sealed. Some W&M offices are willing to look into billing complaints, such as failure to provide proper billings or post rates, but most only check the accuracy of the meters. SB 1163 (Dunn, 2004) will required the CPUC to take informal complaints from master-meter customers (park residents) and that the names and phone numbers of private billing agents be disclosed by the management in the master-meter billings to individual residents. The CPUC often refers these complaints to the serving utility to work out with the park management. The process can often be lengthy with mixed results. Lastly, if a resident can document errors in his/her billings, or refusal of the park to apply the proper gas or electric rate, or CARE or other discount, the resident can seek damages in Small Claims Court.

3. Separating Charges

Q. On last month's billing, the park suddenly started charging us for sewer, water and garbage

previously included in the rent. Can the park impose these extra charges on top of the rent?

A. It depends on your rental agreement. If your rental agreement provides that sewer, water and garbage were included in the rent, the park management can then itemize or charge you separately for these utilities only if they follow the requirements of MRL Section 798.41. Otherwise they may be in breach of the rental agreement. This section requires that they simultaneously deduct the average monthly amount of these utility charges from the rent when they itemize and charge you separately for them. If the management refuses to deduct the charges from the rent, you should then pay the amount under protest and seek redress in the courts. This is the type of issue where it is advantageous to have a homeowners' association help in seeking legal action on behalf of a group of homeowners all facing the same problem. If your rental agreement does not indicate that these charges are included in the rent, then the park owner could charge you for them but only after complying with the 60-day written notice requirement of Section 798.32.

4. Park Violations of the MRL

Q. When park management violates the Mobilehome Residency Law (MRL), the landlord-tenant law for mobilehome parks, there is no government enforcement but residents have to go to court to protect themselves. What good is the MRL if there is no government enforcement?

A. The MRL is part of the Civil Code. Like conventional landlord-tenant law and other civil provisions, the enforcement mechanism is through the civil courts, not law enforcement or another government agency. Except with regard to public nuisance and health and safety issues in parks, legislative attempts to have district attorneys or city attorneys enforce all or part of the MRL have failed in the past. There is no mobilehome "police." Courts are a governmental agency, one of the three branches of government saddled with, among other things, resolving or deciding civil disputes. When faced with a problem, residents need to network through mo-

mobilehome advocacy organizations or by forming homeowners associations to protect themselves as a group. Few attorneys are familiar with mobilehome law or are interested in practicing it, but as the number of lawsuits against park owners/managers grows, more attorneys are starting to deal with those issues. Some mobilehome organizations or the County Bar Association can provide references or lists of attorneys who take mobilehome cases. Ask neighbors and friends for such references. In some cases, simply hiring an attorney to write a letter on his/her firm's letterhead to the management will do the trick. In other cases, Small Claims Court may have jurisdiction over cases involving damages of less than \$7,500, and, with preparation and advice from mobilehome advocates or attorneys, one can appear in court on one's own behalf. All park violations should be documented for evidence in court. MRL provisions allow a successful plaintiff to ask the court for attorney's fees if he/she prevails and obtain up to a \$2,000 penalty against the park, at the discretion of the judge, for each willful management violation of the MRL that is proved.

5. Failure to Maintain the Park

Q. The park never fixes anything. Rents go up annually but potholes in the streets get larger, sewers often back-up, water pressure is almost nonexistent, electric circuit breakers blow and take days to fix before power is restored, and the bathroom plumbing in the clubhouse has been broken for six months. How do we get the park owner to fix things for which we are paying rent?

A. File a complaint with the Department of Housing and Community Development (HCD) or local government, whichever has jurisdiction to inspect mobilehome parks in your community. You may have to fill out an HCD Ombudsman Complaint Form detailing your problems. If you don't get a response from HCD within a reasonable time, call your legislator and have him or her make contact with HCD on your behalf. HCD inspectors are spread thin, so you will have to keep in contact with the inspector to make sure they are going to follow through, once they cite the violations, to be sure the

park actually makes the necessary corrections. In more serious and continuing cases, residents may have to consider contacting an attorney who specializes in failure-to-maintain lawsuits against mobilehome parks (check with your MH advocacy groups for referrals) on a contingency fee basis.

6. Senior Park Changed to All-Age by Park Management

Q. We retired and bought a home in the park five years ago, when it was advertised as a senior community. The rental agreement and park rules provide that we had to be 55 or older to move in to the park. Now the management has arbitrarily changed the senior rule to allow anyone of any age to move in, has torn out the shuffle board court and closed down part of the clubhouse that used to be used for weekly bingo games. However, there are no play areas for children in the park, and teenagers kick their soccer balls or footballs into our yards and run through our carports, and some have even damaged our property. Shouldn't residents have a say in the elimination of the retirement lifestyle we were promised when we moved in, and shouldn't the park have facilities for kids if they convert to an all-age park?

A. The federal Fair Housing Amendments Act of 1988 prohibits discrimination against families with children in multiple residential housing but permits such housing, including mobilehome parks, to limit residency to seniors in one of two categories: 1) 55 and older; or 2) 62 and older, if the park meets certain minimum conditions. The major condition is that a minimum of 80% of the units are required to have at least one resident 55 and older. The federal law does not specifically address procedures for changing from a "senior" category to an all-age category, which in rental mobilehome parks under state law or by practice is often the sole decision of park management with a minimum notice. But parks can lose their "senior" status if, upon a complaint, they fail to meet the statutory conditions, such as the 80% requirement. The law does not require parks or other multiple-residential housing complexes that convert to all-age to install play-

ground or other facilities for children. Advocates of family housing have argued that such a requirement would drive up the cost of housing and discourage landlords from opening up restricted housing to families. Some local governments have imposed conditions on mobilehome park zoning or use permits requiring parks that were developed as "senior parks" to be maintained as "senior" unless otherwise approved by the city or county. It is not clear to what extent these local zoning or use permit requirements may conflict with the federal Fair Housing Amendments Act.

Senior residents who have leases that provide that the park is a retirement or Senior Park, and providing for specific facilities such as a shuffle board court, may, however, have a civil case against the park for breach of contract or diminution of services contracted for in the lease or rental agreement.

7. Occupancy Standards

Q. There are six people living next door to me in a single wide mobilehome with one bedroom, but the park management won't do anything to prohibit the overcrowding. This is an older park with narrow streets and limited facilities. If there was a fire, all of them would have trouble getting out. They have 4 cars and park them in front of my home and across the street, making it very hard for me to get out of my driveway into the narrow street. Can't the state or local government force park management to limit occupancy of mobilehomes based on square footage or fire safety standards?

A. The occupancy standard issue is difficult to solve. The issue has arisen at both the federal and state levels. Legislation has been considered but not enacted to create a "2 persons per bedroom plus 1" standard that is presently only a HUD guideline (e.g. - if the home had 1 bedroom, the occupancy standard would be 3; if the home had 2 bedrooms, the standard would be 5, etc.). Proponents argue that occupancy standards are necessary to avoid overcrowding and unhealthy living conditions.

Opponents contend that, especially in areas where the cost of housing is high, an occupancy standard is nothing but a form of discrimination against persons who can't afford larger homes. Some cities have attempted to legislate occupancy standards, only to have their ordinances challenged in court. Mobile-homes usually have a design standard established by the manufacturer as the recommended occupancy for the size of the home. The manager could try to establish an occupancy standard in the park rules based upon something reasonable, such as the design standard of each home or the HUD guideline, and some do, but the management would probably be subject to legal challenge, and for that reason most parks don't even try.

8. Clubhouse Never Open

Q. Our park has a clubhouse but it was closed last year, and our requests to hold mobilehome owner meetings in the clubhouse have been denied. Doesn't state law require the clubhouse to be open and available at reasonable hours?

A. Yes. Although the law does not require parks to have club houses or meeting halls, if they do, MRL Section 798.24 requires the common facilities to be open and available at reasonable hours, which are to be posted. Section 798.51 gives homeowners the right to hold meetings at reasonable hours and in a reasonable manner in the clubhouse when it is not otherwise in use for any lawful purpose, including homeowner association meetings and meetings with public officials or candidates for public office. If you bring these provisions to the attention of management in writing, including a request for a meeting with the management on the issue in accordance with Sec. 798.53, and the management still refuses to do anything about it, you may have to obtain the services of an attorney to write the management a letter or even go to court to enforce your rights under these provisions or as a breach of contract or diminution of services under your lease or rental agreement.

9. Eviction for Rule Violations

Q. Last month my neighbor received an eviction notice which indicated that she was in violation of park rules, without any other explanation, and that she has 60 days to move herself and her home out of the park. The management refuses to discuss the eviction with her and returned her rent check for this month. What does she do?

A. The first step is to seek advice from an attorney, or a mobilehome advocacy group that can refer her to counsel familiar with these kinds of cases. MRL Sections 798.55 and 798.56 govern termination of tenancy in a mobilehome park. In a mobilehome park, your tenancy can only be terminated for just cause, meaning they can only terminate you for seven specified reasons in the code, including violation of a park rule or regulation. The management must also give you a 60-day notice, but if you refuse to move after the 60-day period, the park management has to take you to court in what's known as an unlawful detainer action, similar to other residential tenancies. There you have the opportunity to tell the judge your side of the story. If you are evicted, depending upon the court, you may be required to pay the management's attorney fees, in addition to having to leave the park. In this case of termination for a rule violation, the homeowner may have a good defense because the code requires management to specify the rule broken and particular circumstances of where and when, and they first have to give you seven days to correct the rule violation. If you can show the court they didn't follow these requirements or give you that opportunity to conform within seven days, the park cannot proceed with termination. However, if you violate the rule more than twice in a 12-month period, on the third violation, the management may proceed with termination despite the fact you have cured the violation (Sec. 798.56d), a sort of "3 strikes and you're out" provision. If the management refuses to accept the resident's check for rent, the resident should put the rent money in a trust or escrow account at a bank so the resident can later show good faith to the court in trying to pay the rent. Termination of tenancy (eviction) in a mobilehome park is a vitally important matter because a resident can lose their home, so they should not waste time seeking legal help.

SHORT QUIZ—HAVE YOU BEEN MISSING ANYTHING**A. What is Eminent Domain?**

1. It eliminates rent control
2. It allows private individuals to take others property for their own use.
3. It allows governments to take private property for uses such as schools, roads, etc.
4. None of the above.

B. What are the two most serious threats to rent control today? (check two boxes)

1. Proposition 90
2. The Anderson Initiative
3. Condo Conversions
4. The California Property Owners Protection Act.

C. What was Proposition 90 about?

1. Eminent Domain
2. Rent control
3. Government takings
4. All of the above
5. None of the above

D. Name two park owner groups

1. CMRAA
2. WMA
3. AARP
4. CMHCA

E. Why are residents in ClearLake so upset?

1. They are getting a pass through for capital improvements which will raise their rent
2. ROP, Inc is purchasing their park and raising their rents 40%.
3. Their park owner is raising rents 40%
4. They face a condo conversion
5. None of the above

F. What is a condo conversion?

1. A developer purchases the park and removes homes; replacing them with condominiums
2. A way to break rent control
3. A subdivision wherein residents can purchase their space.
4. All of the above
5. None of the above

G. What is ROP, Inc.

- 1. It is a non-profit 501(c)3
- 2. It claims to help residents purchase their park
- 3. Maurice Priest is President
- 4. ROP stands for Resident Owned Parks
- 5. ROP delivers ownership to residents in 30 years.
- 6. All of the above

H. Is there a state fund to help residents purchase their parks?

- 1. Yes
- 2. No

I. If you answered yes, you were right. Check all the boxes that pertain to this fund.

- 1. It is called MPROP
- 2. This year \$8 million is allotted
- 3. \$2 million per park purchase
- 4. None of the above
- 5. All of the above

ANSWERS

- A. #3. B. #3 & #4. C. #4. D. #2 & #4.
- E. #2.
- F. #2 & #3 G. #6. H. #1
- I. #5

SIGN UP FOR E-MAIL ALERTS

SEND US AN EMAIL

As soon as you receive this issue, send us an email if you want to be put on our "E-Mail Alerts" list. Just send an email to **fawodley@yahoo.com** or **comocal@yahoo.com** and you will be included. E-Mail alerts will begin immediately and will include updates, news articles, etc. This is a good way to keep up with what's happening.

And we need your eyes and ears. If you have an issue in your park, come across an interesting article, etc., we welcome that information. Please send it to us and we will distribute it on the "E-Mail Alert" network and/or in THE VOICE.

CoMO-CAL THIS AND THAT

1. March was a high point for renewals. Thank you all for renewing. Keep this in mind, **the next time you renew just send a check with renewal on the memo line. No other paperwork is required.** Keep the renewal notice for your records. This saves you time and keeps the amount of paper we receive to a minimum. Some members received notices after renewing because the notices were generated before we logged your renewal into the system. Please be patient. Please use the mailing label to verify whether or not you have received proper credit for a renewal. Of course if you find a discrepancy, please alert us and we will fix any problem.

2. Perhaps you have noticed some changes in THE VOICE. Roy in Northridge suggested using two columns per page so reading our long articles would be easier. In fact we can accommodate more per page using two columns. Let us know what you think. We welcome your feedback.

IMPORTANT CHANGES**TO CoMO-CAL**

Several members have questioned the need to publish monthly. After all, it's a lot of information to read and digest every month. And it requires a lot of work to prepare, print and mail each issue, not to mention the efforts of those who distribute it in their parks. So, beginning with this issue, we will "experiment" by publishing **THE VOICE every other month** (each issue of THE VOICE will be slightly bigger—perhaps 26 pages) until January 2008.

By publishing every other month, we will see a considerable savings of time and money. (Remember it costs us about \$0.77/issue to publish or \$9.25/year. If you joined at \$40/3 years, this only leaves us about \$4 for all other expenses/year/member). This will allow us to concentrate on getting new members and providing more services to those we already have.

Of course we welcome your feedback regarding this change. We can always publish an additional month as the need arises. To supplement THE VOICE, we will be phasing in the use of email. Between issues of THE VOICE, we plan to send members updated information on various issues. And we want to encourage you to email us also. This will give us a more real time way of communicating. (Of course many members already email CoMO-CAL on a regular basis and we appreciate this).

In conclusion, this is the MAY/JUNE issue of THE VOICE and you will receive it around MAY 1st 2007. The JULY/AUGUST issue will come out July 2007, and so on, at least until January 2008. As the need arises, we may publish an additional issue. And we will begin using email to inform members on a more timely basis. Of course, let us know your thoughts on these changes.

CoMO-CAL Philosophy

By Frank Wodley, CoMO-CAL President

The philosophy of CoMO-CAL is simple, our goal is to offer advice and inform mobilehome owners across the state of California. In fact our purpose is: to promote the general welfare of mobilehome owners. To date we have received a grand total of \$40,000, including all membership fees, renewals, donations and legal fund contributions. Our expenses total about \$28,000. We have published about 28 issues of the voice, now reaching over 1500 mobilehome owners in about 350 parks. Not bad after just two years.

We are trying to fill a void. Usually mobilehome owners have no where to turn for help for the many issues they face in their parks. Now they can pick up the phone and call 1-800-929-6061 and talk with a "live" person - seven days a week, from 7am to 9pm. THE VOICE is informing CoMO-CAL members as never before. Unfortunately most of the news is negative. It should be a "wake-up call" for all mobilehome owners to unite and get organized.

Please know that we can't help you unless you help yourself. Read THE VOICE and question what management tells you. If you have issues in your park, organize your friends and neighbors. If you have at least 20 residents in your HOA (Home Owners Association), and you have a way to print THE VOICE, **you can join CoMO-CAL for just \$5 per year**. You will be a full member of CoMO-CAL, but will not receive a "hard copy" of THE VOICE. Parks are already taking advantage of this offer.

Remember, CoMO-CAL will support you. Call us anytime for advice and assistance.

THIS JUST ISN'T WORKING - AN OPINION**By Frank Wodley, CoMO-CAL President**

This just isn't working. I'm talking about the life of mobilehome owners in parks where we rent our space. In fact we are in a very unique situation. The fact that we own our mobilehomes, rent the space under them, and are "protected" by the current laws sets us apart. In fact I believe we are very vulnerable and you don't have to look far to see our park owners working hard to "maximize" their investment at our expense. Where else in America must people just walk away from their homes, without any compensation? And many of these people have no place to go and are without funds.

A few years ago, the issue of condo conversions didn't exist. Now it should concern every mobilehome owner living under rent control. The issues continue to multiply and the solutions are few and far between. Surely there MUST be something better than band aid fixes.

Presently our system is LOSE/LOSE. The land in mobilehome parks is more valuable if it were undeveloped, i.e. if there were no mobilehomes on it. This is a LOSE situation for the park owner. On the other side, mobilehome owners are in a LOSE situation on a daily basis—rent increases, loss of equity, out of control managers, threats, harassment, intimidation, condo conversions, etc.

If you spent the \$10 to read Donald DeVore's book "Mobilehome Wars" you would realize perhaps the laws that have been put in place to protect us simply are not based on the right foundation. Donald believes that the law should be based on land lease.

I've been trying to think "outside the box" about this dilemma and have talked with several people. For starters, this simply is not working. And unless there is some radically new idea, nothing much will change. In fact mobilehomes as we

know them today will probably disappear.

Our cities are also "under the gun." Many are facing lawsuits by the landowners. One example is Equity Life Style and Mr. Sam Zell in Santa Cruz.

Resident groups are also "under the gun" fighting for the lifestyle many of us enjoy. I applaud those groups that have helped their friends and neighbors, some by getting a rent control ordinance.

And now a question. Did you really read THE VOICE this month? I was very surprised that someone had an idea similar to mine. If you missed it, please reread the Letter to the Editor by Ray Newman of Modesto. Ray has been helping the ladies of the Advocates group there.

Ray's idea: have cities use Eminent Domain to "take" mobilehome parks to maintain affordable housing. Of course park owners would be compensated. The city would "run" the park and residents would continue to rent their space. (This however requires a city sensitive to the needs of its tenants—this is certainly not the case with the City of Palmdale!).

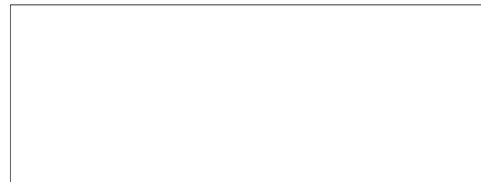
What if cities used eminent domain only in situations where the park owner is abusing his "social responsibility?" What about the city selling the park back to the residents? Ultimately residents should own the both land and the structure; otherwise the issues continue unabated.

It is my understanding that the State of Hawaii used a similar method with all mobilehome parks there. I must do my homework and research this.

Please contact me if you have an "out of the box" idea. And I am always open to hearing what you think. We MUST work hard to turn things around.

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

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

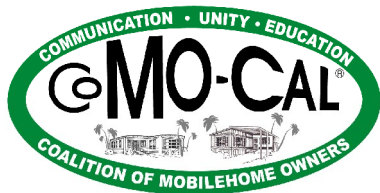


NEWSLETTER EDITOR

FRANK A. WODLEY
E-Mail: fawodley@yahoo.com

<http://comocal.org>

800-929-6061 / 818-886-6479



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

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

SERVICES WE PROVIDE OUR MEMBERS

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

This document was created with Win2PDF available at <http://www.win2pdf.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.
This page will not be added after purchasing Win2PDF.