

## Late Breaking News—Governor Arnold Schwarzenegger Vetos AB 1542

To the Members of the California State Assembly:

I am returning Assembly Bill 1542 without my signature. I am greatly concerned about housing affordability and homeownership for all Californians. I understand the sanctity of the home and the importance of having stability in your living situation. This need for stability was eloquently expressed by the many seniors throughout California who have written to me on both sides of this bill.

I also recognize that compared to other housing issues there is a uniqueness regarding mobilehomes and all the varied manners of ownership, leasing, affordability, and opportunity. It is because of this uniqueness that laws were enacted to create statewide standards for mobilehome parks.

The intent of current state law is to provide an opportunity for home ownership to those mobilehome owners who desire to own both their home and the land it rests on. The law also offers protections for low-income individuals against unwarranted rent

increases. While the bill's intent is to preserve low-income housing, it also extends rent control in certain circumstances to mobilehome owners in much of the state no matter what their income level. It is unclear what state interest is served by the extension of rent control for those who do not have an economic disadvantage. In addition, establishing two statewide standards for rent control seems confusing and unnecessary.

It is clear that mobilehome issues require a comprehensive approach to ensure that low income individuals and families are protected, homeownership opportunities are afforded to those who choose them, and stability of the home and property is preserved.

I urge the Legislature over the coming year to find a solution that provides true balance for all the stakeholders involved in mobilehome issues.

Sincerely,

Arnold Schwarzenegger

### Mobile-home rent-control bill vetoed

By [Timm Herdt](#) Ventura County Star  
Saturday, October 13, 2007

SACRAMENTO — Gov. Arnold Schwarzenegger vetoed a bill on Friday that would have preserved rent-control protections for residents of mobile home parks that are partially converted to condominium ownership.

The bill had been closely watched in Ventura County, where the owners of at least four parks have begun proceedings to convert to condominiums.

"It feels like a kick in the solar plexus," said Supervisor Steve Bennett of Ventura when informed of the veto. Bennett had helped mobilize local government officials across the state in support of the bill, AB1542, by Assemblywoman Noreen Evans, D-Santa Rosa.

In a statement released by her office, Evans called the veto "reckless and cold-hearted," saying that thousands of seniors and working-class families "now face being put out on the street. They were counting on the governor, and he really let them down."

In his veto message, Schwarzenegger noted that statewide rent controls for those classified as low-income will remain in place.

"While the bill's intent is to preserve low-income housing, it also extends rent control in certain circumstances to mobile-home owners in much of the state no matter what their income level," he wrote. "It is unclear what state interest is served by the extension of rent control to those who do not have an economic disadvantage."

Under existing law, when an owner converts a park to condominium ownership, the park is freed from local rent-control ordinances as soon as a single unit is sold. At that point,

see Veto / Insert Page B

Veto / continued from Insert Page A

those classified as low-income are still covered by the state law, but the rent for all others can be raised in stages over four years to whatever market conditions will allow.

Bennett called that a formula to allow a transfer of wealth from moderate-income residents to the owners of their parks.

"Somebody who is a few dollars over the low-income threshold can now watch their rents go up dramatically," he said. "The statewide standard is so inadequate."

More than 300 cities and counties in the state have enacted mobile-home rent-control ordinances in recognition of the unique economic circumstances of those residents. They own their homes but not the land under them, which means the value of their property is largely dependent on the predictability of future rents.

Schwarzenegger said he understands the "uniqueness" of their situation.

"I understand the importance of having stability in your living situation," he said. "This need for stability was eloquently expressed by the many seniors throughout California who have written to me on both sides of this bill."

Schwarzenegger urged lawmakers next year "to find a solution that provides true balance for all the stakeholders involved."

Bennett said he appreciated the governor's invitation to revisit the issue.

"We've got to get back in the saddle and go after it again," he said.

In the meantime, Bennett said, he would ask the county's lawyers to continue to research steps the county might be able to take.

### Readers Comments

Posted by **deandrsn** on October 13, 2007

One good reason why I no longer live in California!!

Posted by **rebel123** on October 13, 2007

Mobile home condos....what a scam. This is going to put hundreds if not thousands of seniors in California out of a place to live. What the hell is wrong with this state? The "bottom line" mentality that allows people to justify sucking as much profit out of any ownership possible while providing less for their "customers" and in fact making it impossible for the residents to live is appalling.

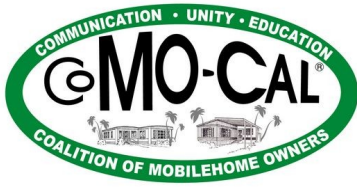
Posted by **Face99** on October 13, 2007

It seems by the governor's statements that A. "...noted that statewide rent controls for those classified as low-income will remain in place." and B. "It is unclear what state interest is served by the extension of rent control to those who do not have an economic disadvantage." speak for themselves. There is no "putting grandma to the curb" going on here. Calling someone a pig because they want full value for their asset (land) is infantile. Allow anyone to use "rent control" as a reason to live cheaply results in places like Washington D.C. where frequently couples making over 200K a year are still living in subsidized housing.

Posted by **jmcgaw3046** on October 13, 2007

I moved from California when the mobile home park where I lived got a large increase under the rent control law and at that time the board also noted that the owners could come back the next year for another one, since they did not quit get all they wanted. I could no longer afford to live there. So now more and more of the mobile homes owners will have to find a place to go. No affordable housing left any more in CA.

Editors Note: It is a sad day for mobilehome owners across the state. What is interesting is the Governor's comment about rent control "While the bill's intent is to preserve low-income housing, it also extends rent control in certain circumstances to mobilehome owners in much of the state no matter what their income level. It is unclear what state interest is served by the extension of rent control for those who do not have an economic disadvantage." In my opinion, our Governor simply does not support rent control for all income levels. This view is also shared by many mobilehome park owners!



# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

NOVEMBER 2007 VOLUME 3 ISSUE 11

## **Are You Prepared to Walk Away from Your Home? By Frank Wodley**

### **An open letter to all mobilhome owners, Not just CoMO-CAL Members**

Are you prepared to walk away from your mobile-home? Or perhaps sell it for much less than it is worth? Or do you feel I'm making this up to scare you into action? Well it is no joke and the signs are everywhere. Just read about the veto of AB1542, or the "new" Proposition 90, or AB1309.

This month carefully read the article on pages 12 and 13. (Here an owner refuses to let an owner sell in place - the reason "fire hazard." This is only one of many "reasons" park owners give to have older homes removed.) This is not an isolated situation. Here are some of the key points of the article: Park owners across the state are targeting mobilehomes, 1974 and older, claiming they are a fire hazard. In this particular case, the park owner has refused three different buyers for a 1972 mobilehome owned by an elderly couple who wanted to move closer to their daughter. They have had a health and safety inspection showing "the trailer is habitable and up to all relevant codes." Even the fire department states "they're (mobilehomes) are safe for what they are." The park owner claims allowing the sale "would have been far more beneficial to him financially."

So why is this example important to you? Over a year ago ex-GSMOL Manager Patricia Owens alerted me that the WMA was talking about this "fire hazard scenario" as a way to get all older mobilehomes removed from parks. This is not an isolated incident, or an isolated park owner! This is their PLAN! This is part of their strategy. And

who does it affect? In my park alone, it affects about 65% of my neighbors! Taken across the 4822 parks in the state, the scope is enormous. And perhaps you think your newer home is not at stake. Well think again. In a neighboring park here in Chatsworth a manager was overheard saying "1974 mobilehomes and older will be the first, then 1976 and so on."

As Rosemary Tomai of Sonora stated in the article "It's called greed, my dear." Park owners make lots of money when they get control of your space. Counter to the claims of the park owner in the story, park owners benefit at least three different ways: 1. In some rent control areas, when a mobilehome is taken off the space, the rent may be increased without limit, 2. The park owner makes a huge profit by selling a new manufactured home which has replaced the older home, and 3. The value of the park has increased because of higher profit margins.

What will happen if this park owner wins his "test case." I'm sure the WMA and other park owner representatives will put out an alert. Are you prepared for that day? My observation is NO! In general, mobilehome owners are not well informed, nor are they aware of the threats to their investment. At least you, as a CoMO-CAL members, are aware of the many threats. We thank you for your support.

**See "A Call to Action" on Page 2**

**NOVEMBER 2007**

October has had its share of ups and downs. The Governor continues his campaign to veto legislation favorable to mobilehome owners. So is the best policy to continue butting our heads against this brick wall or have another strategy for the remainder of his term? (see inserts)

The Stanislaus Mobilehome Owners Advocacy is one bright spot. With their hard work, the City of Modesto has a “memorandum of understanding” and a rent control ordinance. (See page 4).

Now our efforts focus again on the “son of Proposition 90.” The CPOFPA likely will be on the June 2008 ballot. Our goal is to educate you about the dangers of this initiative. Then, in turn, you can educate your friends and neighbors - all voters - that this will eliminate rent control in the State of California.

There is a misconception among some other advocacy groups that Howard Jarvis would be against the CPOFPA. In fact he was always against rent control. Read pages 6 and 7.

We’ve published information about the mobilehome park in Santa Cruz, namely De Anza. Remember, Sam Zell’s group ELS purchased the park a few years ago, challenged rent control and won. As a result residents are walking away from their homes and cannot sell. See pages 8 through 10.

There have been some significant changes to the distribution system for THE VOICE. Many CoMO-CAL members are now receiving THE VOICE by email exclusively. In fact our goal is for all members with email to receive it this way. This month those members will see a bonus - an additional 7 pages of information. Not only will they receive THE VOICE on or before the first of the month, but they will get additional information and ALERTS during the month. If you have email, and are not already in our email network, please let us know! It benefits you and saves us time, money and effort.

CoMO-CAL is now affiliated with CARA—California Alliance for Retired Americans. As a consequence, you and every other member of CoMO-CAL is a full member of CARA. We will publish what they do in the December issue.

Please note a change in the column to the right. Ray Chavira has rejoined our team, replacing Ralph Weber, as our Representative for the Lancaster area. We appreciate the hard work he is doing for his friends and neighbors.

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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.

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### RENT CONTROL - IT CAN BE DONE (Modesto)

(Editor's comments: . The following articles detail what was accomplished, the time-line and action taken by leader Sally Studer and a handful of dedicated residents. It DOES NOT show the heart-ache, sleepless nights, and hundreds of hours of hard work. It has been a roller-coaster ride for Sally and her small group, but it shows what can accomplish for the good of all. (By the way, this selfless effort DOES NOT help Sally or some of the others of her group, as they DO NOT live in the City of Modesto – Sally is resigned to losing her home – this is heartbreaking!) And I want to personally thank Sandy Cissell for her efforts to keep me apprised of happenings in Modesto. Congratulations to all from CoMO-CAL! You have set a standard for all residents looking to get rent control for their area!

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#### **The City of Modesto now has a MOU and Rent Control Ordinance**

Modesto formed a “stakeholders” committee consisting of a Vedder Park owner, a WMA Representative, 3 park residents (advocates), our attorney Bruce Stanton and the City Attorney. The first meeting was held on May 2nd, 2007.

After several meetings with compromises made by all concerned parties, the terms of a memorandum of understanding (MOU) and a rent control ordinance were agreed to then the City voted to enact both. Both documents were written with few changes, the same documents can be used by the other Jurisdictions in the County.

If any park owner violates the terms of the MOU, the park will be transferred to the much more restrictive ordinance, verification of compliance is required. A Committee consisting of three park residents and three park owners will meet on an ongoing basis to deal with MRL violations and other issues in the parks.

#### **Sally's Story**

My small park sold in November, 2003 and by 2005 nearly 50% of the residents had lost their homes due to escalating space rents.

In August 2005 a friend and I wrote a petition and questionnaire and began walking parks to distribute them. I contacted residents who had responded to attend a meeting at my house. Lynda and a work crew from her park were among those who came.

Within a month more parks were walked and our 1<sup>st</sup> official meeting was held. By February 2006, after distributing over 4500 Petitions and Questionnaires throughout the county, data was compiled showing rapid rent increases in several parks. The next month that data was presented to the Board of Supervisors and ALL city councils. It has been a full time job for Lynda and me. Other residents helped when and where they could. Sandy came on board in December 2006 and Ray March 2007. We now have a team of 5 with a variety of talents, including our treasurer Gloria.

Frank contacted me when an article appeared in our local paper, and he and others associated with CoMO-CAL immediately became a vital resource. What is required to improve living standards for park residents is knowledge, organization and dedication and that is being accomplished through CoMO-CAL. Our heartfelt thanks for all the help you've given us,

Sincerely,

**Sally Studer**

Stanislaus Mobilehome Owners Advocacy

(Editor's Note: Thanks Sally for the kind words. Our group is all about networking! It works!)

## Be Active - Be a part of the solution, not a part of the problem by Robert Hites

Have you ever wondered who does the work in so many organizations? Have you stopped and listened to the speakers? Have you read the various Newsletters, e-mails, Congressional letters, and other documents that pertain to the lifestyle that you are living in?

I live in a mobile home in a small park in Northern California. I have been to several local parks and traveled extensively throughout the north state in search of people who want to get involved. They are out there and they provide a great deal of "lip service" but they don't follow up with their statements, I'll be there. You can count on me. See you at the meeting. The excuses go on and on and people think that you are stupid and they think that you will forget. That is not the case.

When you believe in a idea, you read and understand the problems, you observe the mismanagement and lack of concern for your fellow citizens and your passion grows. People can talk the talk but they can't walk the walk. People need to take a stand and be not afraid of those that try to intimidate and bring about harsh words upon you.

You have to get involved and let your problems be

known to advocate groups, write letters to local governments, not the governor, but local people. Get them involved first, let them see the situation up close and personal. Call, write, e-mail, but get involved.

If you are not part of the solution, then you must be part of the problem. Taking a stand for what you feel is correct is no shame, you are not alone and there are literally tens of thousands of mobile home owners that are in the same boat as you are in. Just because it is not happening in your park it's by no means safe to assume that it won't happen. When it does happen you must be prepared and I would much rather be proactive than reactive. It is like playing football, it is hard to catch up in the fourth quarter.

Be informed, get involved, be proactive and please get involved in your park. It is your home and your lifestyle that can change with a stroke of a pen and believe me it is a shocking experience. **YOUR HOME - YOUR MONEY - YOUR INVESTMENT - TAKE A STAND - BE INFORMED AND GET INVOLVED. DOCUMENT ALL SITUATIONS BY ASKING WHO - WHAT - WHEN - WHERE - HOW AND WHY.**  
**Article by Bob Hites, CoMO-CAL VP**

### ELS shunned rent control talks (Modesto)

The Modesto Bee Posted on Tue, Oct. 02, 2007

After reading the article on the passage of the rent control ordinance ("Rent control option accepted by all but one," Sept. 27, Page B-1), it is necessary to clarify Peter Underhill and ELS's lack of involvement in the process. As a member of the stakeholders group that hammered out these documents through a spirit of compromise and cooperation, it should be noted that Underhill declined to be a part of the group and stated that the company he works for, ELS, would never be a party to anything that restricted their right to raise rents to any level and at any time. The so-called offers his com-

pany made were so full of conditions favorable to ELS that they weren't worth the paper they were written on.

Contrary to what Underhill would have everyone believe, they were not shut out of the process; they chose not to participate. ELS has a history of these sort of manipulations throughout California and the United States and consider themselves above any restrictions on their rent gouging. At the one meeting that they joined by telephone, Underhill stated he would not agree to the memorandum of understanding under any circumstances, and then said nothing further. RAY NEWMAN

## One CoMO-CAL Member Speaks Out Against The Howard Jarvis Taxpayers Association

### Letter to Howard Jarvis Taxpayers Association from G. Lenhard

I personally believe your group is a disgrace. Thirty years ago Howard Jarvis fought for an ideal, organizing seniors/elderly across the state. In supporting Proposition 13, millions of seniors/elderly were allowed to continue living in their own homes instead of losing those homes to ever increasing taxes.

Now however, the group he founded protecting seniors/elderly, has joined forces with a despicable group of millionaire businessmen whose goal the past 30 years has been/is to steal every penny from those same defenseless "Homeowners" and ultimately, THEIR HOMES.

I refer to the past Eminent Domain Bill, which would have eliminated rent control protection for hundreds of thousands of senior/elderly HOMEOWNERS and the proposed Bill your group supports AGAIN, in '08, that will devastate those same seniors/elderly who helped Howard in the battle of '78 and who gained NOTHING from Prop 13. However their oppressors DID and MAY AGAIN, thanks to your support

While Howard founded an organization which HELPED protect those in need, it seems his group has now changed HIS GOAL from helping those "in need", to helping the most despicable vultures among us.

While almost 1,000,000 seniors/elderly HOMEOWNERS will continue to support Prop 13 for other seniors, most of us will NEVER support YOUR Eminent Domain Proposition, which will eventually make all of them UNABLE to continue living in THEIR OWN HOMES.

I believe anyone/everyone connected to this gross injustice/theft, will answer to a higher authority some day, for aiding ANY way, this cruelty. We CAN DOCUMENT; your group CANNOT

Sincerely, G. Lenhard, Escondido

### Letter from Howard Jarvis Taxpayers Association to G. Lenhard

Thanks you for your letter of July 11, 2007 regarding our property rights initiative. I believe your criticism of our proposed initiative is grossly unfair. You state that Howard Jarvis fought for seniors and homeowners but that, now, our organization is a disgrace. All this because we are advancing property rights by opposing rent control?

For the record, Howard hated rent control and fought it every chance he could. Have you forgotten that Howard was also the Executive Director of the Apartment Association of Greater Los Angeles?

There is no more poisonous policy for property owners anywhere than rent control. It prevents others from investing in expanding our affordable housing base. Countless studies have proven that rent control accomplishes the exact opposite of what it was intended to do: make housing more affordable. The ability of property owners to have the freedom, without government intervention, to set the sales of lease price of property is one of the most important "sticks" in the bundle of property rights we have.

In any event, our measure will not impact existing tenants of either mobile home parks or apartments. Existing rent control ordinances will remain in effect until the apartment or unit is vacated. At that point, the unit may be offered at a fair market rate.

Sincerely,

Jon Coupal

President

---

Editors Note: Some advocacy groups have it wrong. Howard Jarvis was against rent control. This is a fact supported by this correspondence and other information given CoMO-CAL by others.

What's the real story in mobile home parks

Date: Sun, 7 Oct 2007 15:18:20 -0700

From: G. Jerry Lenhard, Escondido

To: Gene Maddus :  
gene.maddaus@dailybreeze.com

Subject: Re: Daily Breeze article published 9-12-07 Titled: Bill extends Carson rent-control protections Some mobile home residents gain a weapon in fight against the conversion of their park to resident-ownership.

The article begins: It took a couple of tries, but in the end the state Senate approved a bill Tuesday to preserve rent control when a mobile home park is subdivided. (Call CoMO-CAL for the full article)

Dear Gene Maddus,

I live in a resident-owned MH park in Escondido. I have financial figures from 11 resident-owned parks in this immediate area. Cost to FULLY MAINTAIN these parks averages approximately \$123 per mo. My HOA fees (sp rent) are \$134 mo & we live in a beautiful maintained park w/heated pool (84 degrees), clubhouse with billiard room (2 slate tables), reading room, library, sauna, horseshoes, Jacuzzi etc. Most other ROP's have the same amenities. In addition to all this, our park has over \$150K in our Reserves as other ROP's also have. I never saw a rental park that has ANY RESERVES.

Your article brought several other things to mind:

- EVERY RESIDENT in a Rental Park has MORE \$\$ invested in their space than park owners. This CAN easily be documented.

- We have DOCUMENTED in Escondido, that most park owners make over 70% annually "on their investment" & it's NOT UNUSUAL for a park owner to make over 100%.
- California Park Owners have an Oligopoly, which is illegal. In U.S. SUPREME Court, Hawaii Housing Authority v MIKDIFF, 467, U.S. 229 (1984), No. 83-141, the court found AGAINST the illegal Oligopoly & for the state. As a result, the property owners had to sell the land to the residents living on it AT THE APPRAISED VALUE, W/O the homes on it.
- As I said above, the average HOA fees (space rent) in a resident-owned park in this county is approximately \$134. At the same time, there is a park across the street that is charging is borderline ghetto in my opinion.

While your article made SOME good reading, most of the REAL STORY remains buried. Until some courageous paper decides to do a complete investigation into this grossly miserable condition, residents (mostly seniors) find themselves duped, lied into, nothing will change.

G. Jerry Lenhard,

Escondido, Ca., 760-745-3734

### The “Santa Cruz Rent Control” Story by Frank Wodley

On my recent “road trip” to Northern California, I visited CoMO-CAL members who live in Santa Cruz area MH parks. “Rent control” was one of the topics we discussed at length. If you recall, ELS (Equity Life Styles), Mr. Sam Zell’s group, was asking residents in De Anza Mobile Estates to pay a \$5,000 rent increase. As a consequence, many of you have heard that mobilehome rent control was “defeated in Santa Cruz” in 2003. But the parks I visited in the Santa Cruz area last week *still have* rent control. So, what’s going on here?

To understand what’s going on, you need to know this: The *City* of Santa Cruz and the *County* of Santa Cruz are *different* government entities. *Each has a different rent control law.* There are 3 mobilehome parks in the *City* of Santa Cruz – 2 small ones, and a large (198 space) park called De Anza Mobile Estates. De Anza’s homeowners had their rent control protection gutted in 2003, after the Santa Cruz City Council decided to stop defending *City* rent control law against a continuing lawsuit by the park’s owner. By the way, the owner of De Anza is Equity LifeStyle, Inc. (formerly Manufactured Housing Communities), the infamous nationwide park investment company founded by the equally infamous Sam Zell.

In the *County* of Santa Cruz, there are more than 70 mobilehome parks. Santa Cruz County government is very interested in preserving affordable housing. The *County* of Santa Cruz has *its own* rent control law. It has existed for 25 years. While park owners have challenged it on rare occasion, it has never been “broken.” The County’s rent control ordinance continues to offer excellent protection to mobilehome owners in Santa Cruz County. But the *County’s* law never applied to folks in the *City* of Santa Cruz, and unfortunately, it can’t help them today.

For homeowners in De Anza, the failure of Santa Cruz *City* rent control was a disaster. The park owner and the City forced a settlement upon the homeowners. It basically says that as long as you live in De Anza, your space rents are regulated.

But, when you sell your home, the person who buys it must pay “market” space rent to the park owner. This is called “vacancy decontrol,” and it offers no protection to the home seller. (By the way, remember AB1309 which was introduced this year by the WMA? It takes vacancy decontrol another step—across the whole state.) Drastically raised rents for homebuyers mean drastically reduced home values for home sellers. In the case of De Anza, space rents for homebuyers went up to \$1,500 per month or more. For premium spaces in the park, rents were even higher. As a result, homeowners in De Anza were stripped of their home equity. Homes that formerly sold for \$200,000 are now on the market for \$20,000 or less. Yes, you are counting the correct number of zeros! Potential mobilehome buyers now avoid parks in the *City* of Santa Cruz. Instead, they buy mobilehomes outside the City limits, in the unincorporated *County* of Santa Cruz, where mobilehome park rent control is still in force.

So why did rent control in the *City* of Santa Cruz disappear? Park owners around the state call rent control in the City of Santa Cruz a “failed experiment.” They cite all the usual “park owner” arguments against rent control – it’s a taking of park owners’ property, etc. They would like city and county governments around the state, as well as mobilehome owners, to think “they will be next” to see rent control disappear.

However, those who understand the facts know better. Santa Cruz area “locals” know that the City Council forced De Anza’s homeowners into a settlement with the park owner. The well-publicized reason? The City Council said it could not afford to keep spending large sums of public money defending homeowners in De Anza. The City estimated that the settlement saved it *at least* \$1 million in future legal costs.

But why was the City’s rent control law vulnerable to continuing attack? My friends in Santa Cruz told me the “story behind the story.” Simply put, the City’s rent control law limited the resale prices of mobilehomes in the City’s MH parks. This was an

attempt to preserve affordable housing in the City. However, *the City never properly enforced that law.* Instead, home sellers in De Anza sold their homes for whatever the market would bear. The City's failure to properly enforce its rent control ordinance opened the law to attack. The City could not adequately defend a law it had not enforced. This is what killed rent control in the City of Santa Cruz.

What is the lesson here? I think it's this: There are challenges to rent control at the State level, such as AB 1309. Mobilehome owners must fight such challenges as they arise. However, *rent control is*

*not in "general jeopardy" around the state at the local government level.*

More than 100 California cities and counties have MH park rent control ordinances. Most of these are well-written laws that provide reasonable fairness for mobilehome owners as well as park owners. Typically, these laws are properly enforced. This includes the ordinance in the *County* of Santa Cruz, where rent control continues to protect affordable housing today.

### **Loss of rent control leaves mobile homes hard to sell (Santa Cruz)**

By Shanna McCord San Jose Mercury News  
10/08/2007

Janet Hennessey, 87, riddled with arthritis but lucid enough to tell you why she thinks the Iraq war is a bad deal for the country, needs to move to an assisted-living home. To get the cash for the expensive change, she put her only asset, a mobile home, up for sale in July. Asking \$160,000 for the three-bedroom, two-bathroom coach with a picturesque lake view, steps from the ocean, Hennessey's had plenty of interested callers.

But potential buyers run, she said, when they learn they would have to pay rent of \$2,750 a month for the spot - four times more than Hennessey pays as a rent-controlled tenant of De Anza Mobile Estates, next to Santa Cruz's Natural Bridges State Park and arguably the most spectacular mobile-home park in Northern California. The rent control Hennessey locked in four years ago vanishes when the home is sold.

"They hear what the rent is and we never hear from them again," said Hennessey, unable to walk or stand without a walker. Because of the loss of rent control at the park in 2003 and new rents as high as \$5,000, mobile homes at De Anza now sit on the market for months, and those that have sold have gone for as little as \$15,000 to \$30,000.

#### **Homes abandoned**

A few mobile homes have been abandoned when residents have died and their children can't afford to pay the higher, market-rate rent - which takes effect immediately upon a resident's death or change in ownership - while waiting for the home to sell.

In cases like Hennessey's, not being able to sell the mobile home, which she paid \$108,000 for in May 1997 and spent additional money renovating, can mean not having enough money for convalescent care or expensive prescriptions.

Four years after purchasing the park in 1995, De Anza's owner, Manufactured Home Communities, took its battle to court, quashing the city's rent control ordinance eight years later. The Chicago corporation's success in repealing the ordinance was tied largely to the city's inability to manage the ordinance. "On implementation of the ordinance, we were very weak," Councilman Mike Rotkin said. "We were in no position to fight this battle."

MHC - owner of more than 300 parks across the country and now called Equity Lifestyle Properties - claimed De Anza residents were driving up the cost of the mobile homes, illegally, using rent control as a selling point. The ordinance, the company said, was meant See Loss of Rent / Page 10

Loss of Rent / continued from Page 9

to protect rent, not inflate mobile home values. Representatives from Equity Lifestyle Properties did not return phone calls seeking comment.

### **Cheating the system**

The company charged the city in federal court in 1999 with not adequately enforcing the rent control ordinance, essentially allowing some residents to cheat the system by selling their coaches for wind-fall profits, sometimes hundreds of thousands of dollars above the ordinance cap. MHC representatives said rent-control violations robbed them of profits tied to the value of the oceanfront land.

The rent-control law was crafted in 1992 by a city council trying to find ways for low-income seniors to stay in the community. The law was designed to hold down monthly rent for the slice of land a mobile home sits on, and repress the selling price of coaches so other low-income seniors could move in. Mismanagement of the ordinance left them vulnerable.

The city fought MHC in court for as long as they could in an attempt to protect low-income seniors, spending \$750,000 between 1999 and 2003. To have continued the court fight would have been financially catastrophic for Santa Cruz, possibly shutting down the Parks and Recreation Department, city officials said.

In 2003, the council gave up the legal battle and agreed to rescind the mobile home rent control ordinance. But they squeaked out a deal with MHC to leave rent control in place for 34 years for current residents, including Hennessey.

However, death or change in ownership automatically pushes rent to free market prices.

The political fallout at the time was huge, with many residents saying the city had "sold out" to the giant corporation, leaving them with no equity.

Former Councilman Scott Kennedy, an author of the rent control ordinance, said the council was in a

no-win situation. To keep spending large amounts of money on an unwinnable lawsuit was unwise, he said.

"If money was no object, we don't think a corporation from Chicago should buy a mobile home park knowing there's rent control and then say rent control's not fair," Kennedy said this week. "It was one of the worst decisions I made as a councilman, to settle the case with MHC."

De Anza, with about 200 coaches for people over 55, sits on a bluff above the Pacific Ocean. Residents praise the park as a quiet, peaceful neighborhood with impeccable landscaping. A clubhouse offers a heated swimming pool and dining room, where residents often socialize at potlucks and holiday meals.

### **Buyers backing out**

Realtor Don Roberts, one of a handful of agents to sell homes in De Anza, said he can't count the number of interested buyers who have backed out as soon as they hear the rent.

At least 10 mobile homes are for sale, and a few others sit empty. And instead of paying the rent-controlled rates of \$500-\$900, new tenants pay from \$1,575-\$5,000.

Hennessey, meanwhile, is getting the round-the-clock care she needs from her daughters. They rotate cooking meals, grocery shopping and making sure she is comfortable each day of the week.

"It's so unfair. When we bought, we were told the city had irrevocable rent control and now we don't. The city didn't do anything heroic," daughter Virginia Hennessey said. "We can't afford to put her in a convalescent home without that money."

*Contact Shanna McCord at [smccord@santacruzsentinel.com](mailto:smccord@santacruzsentinel.com).*

**Affordable housing may prevent mobile home conversion (Oxnard)**

By [Charles Levin](#) October 8, 2007

Ventura County Star

Plans to convert a 96-unit Oxnard mobile home park to individually owned lots might be in trouble because state regulators say the proposal runs afoul of the city's affordable housing policies. At issue is a plan by the owners of the Hollywood Beach Mobile Home Park to subdivide lots so tenants can purchase them "condo" style. Typically, mobile home park tenants own a coach and rent the land. Under a condo-style conversion, tenants would buy their lots and share ownership of common areas, such as pools and clubhouses.

But the California Coastal Commission found that over time, the proposal would leave fewer rental options for low- and moderate-income people. The commission will consider the proposal Wednesday when it meets in San Pedro.

P.J. Szewzuk, a park tenant who helped shepherd the concept, was disappointed with the report by the commission's staff, which is recommending the conversion be rejected. "It's a dead deal," Szewzuk said Tuesday. Terry Aggeler, managing partner for the McGrath family, which owns the park, did not return several calls seeking comment for this story.

Converting mobile home parks is a controversial issue. Park owners tout condo-style systems, saying they offer people an opportunity to own a home. Critics say they're an end run around rent-control laws that protect tenants — largely seniors on fixed incomes.

At Hollywood Beach, lot spaces rent for \$390 to \$615 a month. Roughly 300 California counties and cities, including Oxnard, have mobile home park rent control laws.

Cities and counties, however, have little say over conversions. State lawmakers recently approved AB1542, which would give local agencies the right to approve or reject conversions. The bill awaits

Gov. Arnold Schwarzenegger's signature, who must sign or veto it by Oct. 12.

On Monday, the Santa Paula City Council approved a 45-day moratorium on condo conversions until Schwarzenegger acts on the bill.

Hollywood Beach tenants embraced the conversion proposal when first broached by the McGraths in 2004. But the good feelings soured earlier this year when a new appraisal set individual lot prices at roughly \$215,000 to \$250,000. Under two previous appraisals, the lots would have sold for \$117,000 to \$150,000. Tenants, including Szewzuk, cried foul.

Aggeler justified the new appraisal to reflect the changing real estate market. Under state law, low-income tenants who don't want to buy a lot can still rent. The McGraths extended this offer to middle-income tenants and helped arrange \$1.9 million in state funds for low-interest loans for potential buyers.

Coastal Commission staff members focused on a procedural decision by Oxnard. As part of the pending approval, the City Council in December eliminated a policy that forbids converting mobile home park lots for sale unless they're replaced with "an equal or greater number of comparably priced housing units."

According to the Coastal Commission's staff report, the city argued that the local policy was unnecessary because state law protecting low- and middle-income residents would still apply.

That argument, however, was fashioned by Carlsbad attorney Sue Loftin, said Chris Williamson, an Oxnard senior planner. Loftin represents the McGraths and park tenants.

City officials didn't "wholeheartedly" agree with Loftin's theory but rescinded the local policy, pending a Coastal Commission decision, Williamson said Tuesday.

For full article, call CoMO-CAL

### Park, mobile home owner battle over sale (Sonora)

**Published: September 28, 2007**  
By MICHAEL KAY The Union Democrat (Sonora)

Half a mile out of Columbia, a refurbished covered wagon and a spunky wooden sign mark the entrance to the 49er RV Ranch and trailer park on Italian Bar Road. Sprawling over a hill thick with young fir and oak trees, and dotted with gardens supported by neatly stacked rock walls, the park is home to 35 mobile homes — many occupied by seniors.

Owner Bill Meissner says he often jokes with admiring visitors: "This property has a very serious problem. The problem is that people come and they don't leave." But at Space 19 sits an empty trailer that is at the center of a legal battle between Meissner and a married couple who only want to leave. Former residents Phyllis and Conley Hoofman, both 88, say Meissner violated California law by preventing them from selling their mobile to a buyer wanting to move into the park. They have filed a legal complaint against Meissner.

Meissner counters he is concerned the Hoofmans' 1972 Lancer mobile home is a fire hazard to its occupants and the whole park, as it was built before a 1974 law revamping construction regulations. He insists that it be removed before it is sold. Meissner acknowledges he is on "fuzzy" legal ground — the mobile has passed testing for state Health and Safety Code compliance — but says he wishes to get clarification on the rules.

Mobile home owners in parks across Tuolumne County and California are facing similar refusals, frequently with little basis in law, say mobile home advocates and legislative experts. "This is not an uncommon complaint," said John Tennyson, impartial legislative analyst with the State Senate Select Committee on manufactured homes and communities.

For the Hoofmans, the process began when the couple decided to move closer to their daughter in Visalia. After telling Meissner they intended to sell in early 2006, the couple put out an ad and quickly found a buyer. The deal fell through due to a price dispute, but three subsequent buyers willing to pay \$35,000

for the mobile have been refused by Meissner without explanation, alleges the Hoofmans' complaint.

The Hoofmans, who relocated to a Visalia mobile home early in the process and continue to live there, continue to pay Meissner about \$400 a month in rent since vacating the trailer in April 2006. "It's been a struggle and it's kept us from going on with our lives," said Phyllis, a retired nurse. The complaint estimates their rent and expenses for a gardener to be around \$5,000. The refused sale of the trailer accounts for \$30,000 more. Relocating the trailer would, as one interested party found out, cost more than its value, said the Hoofmans' lawyer, Bruce Stanton.

"If a mobile home owner cannot sell a mobile home in place, often it's absolutely worthless," said Stanton, a San Jose-based lawyer who has specialized in mobile home law for 21 years. Meissner said beyond the fire hazard he believes the trailer poses, he is concerned with his own financial liability. "If I had allowed the Hoofmans to stay, particularly as I've brought it up to everybody as hazardous, my concern is that they can sue me for a lot more than the cost of the home." He argues allowing the Hoofmans and another couple — who declined to comment on the record — to sell their homes would have been far more beneficial to him financially.

After acknowledging his action prevents each couple from regaining their homes' equity, Meissner said: "I believe I have a higher responsibility to all the residents of the park."

Rosemary Tomai, president of the Homeowners' Coalition of Mobilehome Parks of Tuolumne County, has a much simpler explanation for Meissner's actions. "It's called greed, my dear," she said. Park owners attempt to block the reselling of older mobile homes in their parks in order to get new homes which earn higher rents and spruce up the look of the park, said Tennyson, who has served on the State Senate committee off and on for 23 years.

"It's a big business in California. It's a big sham," said Frank Wodley, president of the Coalition of Mobile Home Owners — California, an owner advocacy

group. The situation is aggravated by an incredibly low number of vacancies in the state's approximately 5,000 mobile home parks, said Tennyson and Wodley. "Parks are absolutely full," said Wodley.

Park owners once could force the owners of older mobile homes to move them, but the law changed in 1984. Now they cannot require a mobile home to be relocated upon sale unless it does not meet specific health and safety codes, or is severely dilapidated, according to the state's Mobilehome Residency Law.

Even if code violations are found, the homeowner has 30 days to repair them, as was the case with the Hoofmans' home, according to their complaint. "We really don't have any regulations in place that would prohibit a mobile home from being sold in a mobile home park unless there are really, really substandard conditions," said Frank Gomez, the northern area office coordinator for the state Housing and Community Development Department.

Fire danger is slightly greater in mobile homes, due to the way they are first built, their confined spaces and because improvements can create hazards, said Dennis Townsend, Cal Fire-Tuolumne County Fire Law Enforcement-Fire Prevention bureau chief. "They're safe for what they are, but they're more prone to fire damage than a stick-frame home is," he said.

Mobile homes built before 1974 regulations prohibited combustible materials around furnaces, stoves, and other possible fire hazards, can pose even higher risks. But the appropriate procedure is to order an inspection, said Jeff Maxcy, executive director of the California Manufactured Housing Institute, a non-profit which represents park owners, mobile home builders and others in the industry. "I can't just go over to your house and take a look from the curb and say it's unsafe. Even if it's an older home," he said. Meissner said he requested an inspection from the state, but was told it had no staff available.

According to Tennyson, the California Housing and Community Development Department, the relevant agency in this case, ceased doing inspections of individual homes about eight years ago. As one department handout puts it: "There is no mobile home 'police.'" Consequently, most homeowners must pursue legal action, Tennyson said. Yet there is only

one firm in the state that specializes in mobile home law and fewer than 10 attorneys that do, say lawyers in the specialty. None are based in Tuolumne County, said attorney Kate Segerstrom, who briefly handled the Hoofmans' complaint.

"I review a lot of cases, and I only take one in 14. Those other cases might be decent cases, but we don't have the manpower to pursue them," said James Allen, partner in Endeman, Lincoln, Turek & Heater, the only California firm specializing in mobile home law. Missner does agree with the verdict of the inspection contracted by the Hoofmans: the trailer is habitable and up to all relevant codes. "I have to acknowledge that and I have acknowledged that," he said.

But he said he remains concerned about fire risk and thus is letting the matter go to the courts. And in contrast to the current squabbles, he says a dozen homeowners have moved out during his 27 year ownership of the park "without an argument." When asked for contact information, he said all were now deceased.

To Phyllis Hoofman and others, however, his inaction is a calculated waiting game that has happened before.

"This man tried it before and got by with it," said Tomai, of the Homeowners' Coalition of Mobilehome Parks of Tuolumne County.

She said a year-and-a-half ago an older woman faced a similar refusal and pursued legal action, but the case was dropped when the woman died. This and other claims could also not be verified, as the former residents are now deceased.

However, as Meissner said, there is now another couple — who declined to comment on the record — who he has also told must relocate their home.

"This is an ongoing thing of taking advantage of elderly people that either don't have the money for legal things or are at an age that just give up," said Phyllis, who lived in the park for 22 years.

But despite her and her husband's advancing years, she says this time is different.

"He's run into us, who won't give up," she said.

## CoMO-CAL This and That

### 1. Welcome

We welcome our new members and thank those of you who have renewed. Remember, without your support there would be no CoMO-CAL. You dues allow us to educate many and try to unite to have a bigger voice.

### 2. Email Network

This is the second month we are sending out THE VOICE to many members with email. We continue to work getting ALL members with email onto this list. You will receive ALERTS as well as our monthly newsletter, THE VOICE. This month snail mail members are receiving 18 pages. Those with email are getting 10 more pages of information. If you do not have email, you too can participate. Just let us know if find a friend or neighbor who does have email - we will send ALERTS and THE VOICE to them.

There are definite benefits when you receive it by email:

- You receive it on or before the first of the month.
- You receive ADDITIONAL INFORMATION
- And it saves us much time, effort and expense.

Please call or send in your current email address if you would like to take advantage of this service.

### 3. California Alliance for Retired Americans.

CoMO-CAL has joined **CARA** as an affiliated organization. This means that every CoMo-CAL member is also a member of **CARA** (a \$10 value). We will publish information soon about **CARA** and what they do. They represent over 750,000 seniors & 150 affiliated organizations in California

4. A big THANK YOU to all those who worked on the signature petitions. The following mobile-home parks sent the most: Ojai Valley Estates, Lamplighter Chino, and Mountain Springs in Banning. If we left you off our list, I'm sorry. Over 500 signatures were sent off to Arnold in support of AB1542 and SB981 (which was already dead).

### 5. Sorry Shirley and Ralph - Wrong Wife

Well I made a big mistake in last months issue. I mistakenly gave Ralph Weber another wife. Shirley is Ralph's only wife, this straight from Ralph. I do apologize to Shirley and Ralph! Hope you are both together after this!

### 6. New Features

We have tried these in the past and want to bring them back. We would like to have a section where you can "list" your home for sale. Also many of you have asked if we can recommend handy-men—so if you have an individual or company to recommend, let us know and we will publish it in THE VOICE for all to see. We are here to serve you and any of your needs.

### Personal Thoughts from a Member of CoMo-CAL

Dear Frank: Thank you for "THE VOICE." It's the only interesting mail I receive anymore. My only regret is that I didn't find you a few years ago, before the "stuff" hit the fan around this dump. Living in the slums has now driven me out of the State of California paying \$900.00 plus for a single wide piece of dirt is no longer possible.

The City of El Monte has been paid off by Tatum and Kaplan over the years in order to keep rent

control out of our area and to have 12.25% rent increases, when my husband gets a \$10.00 raise in social security in 2007.

Being that the rent went up \$91.72 and to make a long story boring, I had to go back to work and am disabled and now stand for nine hours a day for \$7.50 an hour, cause I'm too old (58)!

Thanks again for all you do!!

**Sandi Witt** (El Monte)

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

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

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

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

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

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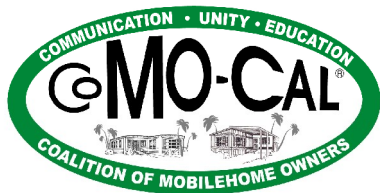


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CoMO-CAL is a non-profit California corporation dedicated to serve mobilehome owners in California.

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

#### SERVICES WE PROVIDE OUR MEMBERS

1. Our newsletter, THE VOICE, filled with important information every mobilehome owner needs. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected. And the WHISPER, an informational flyer, sent without charge.
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 advice.
6. Now every CoMO-CAL member automatically is a member of CARA California Alliance for Retired Americans.

**Mobile home residents lobby H.B. over law  
City, park owners set to negotiate lawsuit over relocation law.**

The Orange County Register BY CINDY CAR-CAMO Thursday, October 4, 2007

HUNTINGTON BEACH – Mobile home park residents are urging the city to return to court to fight a lawsuit that challenges a city law they say protects them when owners want to close a park.

“We’re waiting in absolute fear for the ordinance to be altered or repealed with the almost certainty of parks being converted once the ordinance is removed,” said Steve Gullage, president of the Huntington Beach Mobile Home Association.

Until about two weeks ago, City Attorney Jennifer McGrath was set to go to trial in November to defend a city ordinance that could force mobile home park owners to pay residents millions of dollars before closing their parks. Three park owners and the Manufactured Housing Educational Trust, a park owners lobbying group based in Laguna Hills, filed the lawsuit against the city. They say the law is unconstitutional and forces them to pay for land they already own.

Gullage and six other mobile park residents came to Monday’s council meeting to voice opposition to the council’s Sep. 17 closed-session decision to negotiate with opponents of the law. Five of seven council members directed McGrath to vacate the court date and begin negotiations. Councilwoman Jill Hardy opposed the decision.

The suit has been discussed in closed session for the past several months. An Oct. 30 court hearing is scheduled on the status of the case.

Cities across the state are awaiting the outcome of the case to see if similar laws in their communities would stand up in court.

Adopted in 2004, the law requires Huntington Beach mobile-home park owners who want to close their parks to pay to relocate residents to a comparable park within 20 miles. Owners also must pay a security deposit and the difference in rent for the first year. If a mobile home cannot be relocated within a 20-mile radius, the park owner is required to pay residents the market value of their homes.

The city has about 6,000 mobile-home residents and 17 mobile home parks.

The Pacific Mobile Home Park homeowners and the Huntington Shorecliffs Mobile Home Park homeowners are spearheading a campaign to get the city back into court. They’ve written letters, e-mailed council members and organized appearances at council meetings – including the next one, on Oct. 15, they said.

**Contact the writer:** 714-445-6688 or [ccar-camo@ocregister.com](mailto:ccar-camo@ocregister.com)

**TUESDAY OCTOBER 30TH RALLY IN LOS ANGELES**

Join CoMO-CAL and other advocacy groups for a rally against “the son of proposition 90.” Call Frank for details. The following is from Meghan Callahan of the League of California Cities:

I’ve attached the press advisory, but we are gathering prior to the start of the press conference. We want our folks to meet on the 12th Street side of Staples Center no later than 12:45 to convene beforehand. Your folks can park around the convention center (South Hall Parking looks closest) and we will reimburse them (tell them to keep their receipts). Map is here: [http://www.aoausa.com/Trade\\_Show.htm](http://www.aoausa.com/Trade_Show.htm).

**(Florida)Elevated waterfront villas replace tired single-wides. The cost? Not too steep.**

By JODIE TILLMAN, St. Petersburg Times Tampa Bay Staff Writer Published September 30, 2007

HUDSON - Mike Graham, a professional wrestler turned real estate man, was driving when he saw a sign advertising waterfront villas for sale. Asking price? A mere \$69,000. "I thought, 'What is this?'" he said. So he followed the signs toward the Gulf of Mexico and stumbled onto one of the more interesting residential projects under way in Pasco County: The transformation of a rundown mobile home park, not with pricey condominiums but with affordable - and unusual - modular homes.

TriBird Development of Hudson is replacing the 43 homes in the old Hudson Springs Mobile Home Park with 43 modular homes. Like any other modular home, these are secured on concrete foundations - only the foundations in this case are nearly 14 feet tall and double as stucco-finished garages painted to match the homes.

The living space in the homes is relatively small, about 540 square feet, so TriBird is marketing the units as vacation villas and refers to the park as a "fisherman's paradise." The garages, the company says, could be a place to store boats.

Prices range from \$69,900 to \$79,900, depending on how close they are to the canal that provides access to the Gulf of Mexico. Buyers would also have to pay \$400 to \$500 a month to lease their lots.

Graham, who lives in Indian Rocks Beach, was so impressed that he and his wife purchased one of the homes and plan to use it as a weekend getaway. "You've got a nice, cool place like this on the water," he said. "It's really a neat project." TriBird amended the typical Florida real estate tale - developer buys mobile home park and builds fancy condos or townhomes - because it made good sense. "It's different to this area," TriBird vice-president Scott Birdsell said of the concept. "We're trying to get some kind of real estate action going here."

TriBird is made up of Scott Birdsell, 27; his 25-year-old brother, Brad, and their father, David.

When they bought the park about two years ago, it was far from a fisherman's paradise, or any kind of paradise at all. "It was not a very good place to come through," said Scott Birdsell. "There were lots of police calls. It was just a cheap place to come and live." Redeveloping the park was a given, but how?

"You can only patch up old single wides so much," said Brad Birdsell, company president. Condos seemed a bad idea given a market that's full of unsold ones. They considered single-family homes, but nixed that idea because it seemed to require too much time to get through the county permitting process. They could have just put new mobile homes on top of stilts, which is somewhat common, but they wanted the project to stand out. So they started thinking about gaps in the real estate market. Who was building affordable waterfront villas?

Because of federal flood rules governing waterfront locations, TriBird knew that if they moved out the existing mobile homes, whatever went on the site would have to be elevated. To comply with federal rules, the bottom floor of the homes can't be occupied but can be used as storage.

Newer factory-built homes seemed like an affordable option as well as a safe one: The homes they are using can withstand winds of 140 miles per hour, said Scott Birdsell. So far, they've built six and sold 10. Two of the sales are to people who used to own homes in the park.

**Idea could spread**

Jim Ayotte, the executive director for Florida Manufactured Housing Association, called the park's revitalization "a fascinating project." "I'm extremely impressed by the prices," he said. "I think he has a pretty good niche there. I can't believe for that price you can have access to the Gulf."

Ayotte said he liked how the project took advantage of the first floor as a garage. "You might as well do something with that space," he said. Based on anecdotal evidence he's seen See Florida / Page C

**Immobile homes: State should protect mobile home owners (Utah)**

Tribune Editorial 10/10/2007 05:45:22 PM MDT

In America, property rights rule, and a man's home is his castle. But what about mobile home parks, where one man's castle rests on another man's land? Do landowner rights trump homeowner rights? In development-drunk Utah they do. Here, the landowner holds all the cards, and as a result, mobile homes in growing urban areas are going the way of the teepee. Rapidly rising real estate values and a dearth of developable land have resulted in a rash of mobile home park closings along the Wasatch Front, as park owners cash in by selling to housing developers .

In the past five years, 13 mobile home parks have closed in Utah, including three in Salt Lake County in 2007. Mobile home owners, many of them elderly and on fixed incomes, were sent packing. For some owners of manufactured housing, the loss of their lots means the loss of their homes. It costs up to \$15,000 to move a mobile home, a prohibitive amount for persons on fixed incomes or those holding mortgages. And some older mobile homes, due to the potential for damage, can't be moved at all.

This is no small issue. According to the 2000 U.S. Census, 84,000 Utahns live in manufactured hous-

ing, including 17,000 in Salt Lake County. Many lease a concrete pad in a park for as little as \$250 a month. It's one of the few low-cost housing options available in growing urban areas, allowing poor people to live independently. But if they lose their homes, many will require government assistance.

Most states acknowledge this fact, and at least 35 states have statutes to protect residents of mobile home parks, Utah included. But our law is weak, requiring nothing more than a 90-day eviction notice. That has to change.

Since the late 1990s, members of the Utah Mobile Home Owners Action Group have made an annual pilgrimage to Capitol Hill to lobby the Legislature for more protection, to no avail.

They're not asking for much - a one-year notice to prepare for a move, a rent freeze during the transition period and the right of first refusal if they choose to form a property owners association and attempt to purchase their park. The Legislature should grant their request.

It's the least lawmakers can do to assist this vulnerable segment of our population, people who value their mobile homes as much as millionaires value their mansions.

Florida / continued from Supplement Page B

around the state, Ayotte says he thinks more mobile home parks will be redeveloped with modular and newer manufactured homes. The reasons, he said, include the saturated condo market and a growing realization by local communities about the cost of losing affordable housing.

Though the homes in the Hudson Springs Park project are too small for most people to live in full time, Ayotte said the design could be exported to other areas where there are no flood zone requirements. In those areas, the bottom floor could be used as living space.

Brad Birdsell said the company has plans for similar but smaller projects in Moon Lake and Citrus County. He said he hopes the Hudson project does turn out to be a model. "There are other parks around here that could use this kind of facelift," he said.

## **Supplement D      COALITION OF MOBILEHOME OWNERS– NOVEMBER 2007**

Editor's Note: We present this page as an example of attorneys and management companies that represent park owners. This info is taken directly from their websites. Note such words as: rent increase, full recovery for capital improvements, renovation of aged mobilehome parks, closure, greatest cash flow, higher rents, more rapid appreciation, WMA, etc. It's all about the bottom line, it is about taking advantage of you and getting more of your money for themselves.

### **Attorney Firm of Hart, king and coldren**

#### **Manufactured Housing**

- In Sonoma County, California, we victoriously represented a "rent controlled" mobilehome park owner gaining them a rent increase of over 50 percent.
- In Carson, California, a rent increase of over 40 percent was won for a "rent controlled" mobilehome park. This was the largest rent increase ever granted by that City's Rent Board.
- In Chino, Calimesa, Santa Cruz and Hollister, California, our attorneys obtained legislative changes to amend local rent control ordinances to address the need to adjust rents upon a change in tenancy.
- In Oxnard, California, we were successful in forcing the rent board to authorize full recovery for capital improvements and to comply with binding Public Utility Commission rules.
- In El Dorado, Napa, and Santa Clara Counties, California, we successfully represented community owners and developers with the strategic planning and implantation of redevelopment and renovation of aged mobilehome parks into modern manufactured home communities.
- In Laguna Beach, California, we successfully represented a national client in the closure of the landmark Treasure Island Trailer Park, and the subsequent sale and redevelopment of the property.

### **Property Management - Newport Pacific Capital Company**

#### **Property Management Service**

Newport Pacific's property management team is responsible for establishing and maintaining the greatest possible cash flow from each property. They meet this responsibility by keeping the properties filled and in good condition. They also recommend improvements on properties that could lead to higher rents and a more rapid appreciation. Regional managers prepare annual management plans and budgets for each property and provide the owners with monthly information on the conformance to the plan.

#### **Mike Sullivan (Principal of Newport Pacific)**

Mike is a Certified Property Manager. He is a California General Contractor and a Manufactured Home dealer. Mike is a past president of the board of directors of the Western Mobilehome Parkowners Association and serves on the WMA Renaissance, Membership and Legislative Committees.

Mike is a past chairman of the WMA Property Rights Committee and the former president and member of the Santa Clara County Manufactured Housing Education Trust (MHET).

**County mobilehome owners organize / Butte County Mobilehome Owners Association holds first meeting, discusses owners' rights**

By Trevor Warner Assistant Managing Editor  
10/02/2007

The first meeting of the Butte County Mobilehome Owners Association was held Sunday to an excited group of mobilehome owners. Several guest speakers spoke to a group of more than 100 people. The association was formed in response to what some mobilehome owners call unfair and abusive practices by park management and owners. Some alleged they have been victims of vandalism and other retaliatory tactics since joining the association. A banner stating, "We speak with one voice," the association's motto was draped off the table where the board members sat. Acres of Paradise resident Joan Skinner, one of the guest speakers, claimed rent has gone up in her park more than 62 percent over the years without any visible improvements.

Phyllis Knibbs from Edgewood Estates said she isn't very good at calculating percentages, but knows when she is losing money. "I do dollars and cents out of my pocket," she said. Knibbs said the rent increases make it almost impossible for mobilehome owners to sell their homes. She suggested mobilehome owners, in their effort to achieve better treatment, avoid creating tension with park personnel.

"Don't do anything to jeopardize living in your mobile home park," she said. "If you get a seven-day

notice to do something, do it even if you're not sure what it is your supposed to do. If your park manager is nasty to you, smile through you teeth if you have to." She added the association has several thousand dollars in legal that can be used to handle a situation that needs it. Cory Steiner from Quail Trail Village Mobile Home Park spoke on the subject of association membership and ways to raise money for the group. She pitched for volunteers to help with fund-raising efforts.

The group recognized Paradise Town Councilwoman Robin Huffman for attending the meeting. Chico mayor Andy Holcombe was supposed to attend the meeting, said Marty Struve, one of the founders of the association, but had to cancel at the last minute due to a scheduling conflict. According to Struve Holcombe said he would attend the next meeting.

The absence of local town and county officials was an issue with attendees of a meeting organized by local mobilehome park owners in August. The meeting featured speakers from the statewide mobilehome park association and was a precursor to the formation of the Butte County association. Speaker Gus Colgain said if mobilehome park owners want to be heard, then they need to organize into a political voting force. The next Butte County Mobilehome Owners Association meeting will be on Nov. 11 in Chico, though the time and place is not confirmed.

**Just for Computer Users**

Google Alerts: This works. Insert a word or phrase, like "mobile home." and google alerts does the rest. You get newspaper articles, blogs, etc on the subject—direct to your email address.

Sign up for Mobile Home Owners Forum on Yahoo. <http://groups.yahoo.com/group/mhof/>. Keep current on news articles, posts from members, etc. Leaders of all groups are members. About 50 participants currently. Let's have all CoMO-CAL members join and participate.

**And finally, some more reactions to the veto of AB1542**

*Carson could be the next Beverly Hills of the South Bay!"*

*posted: Sunday, October 14th at 9:27 AM*

*The trailer parks in Carson are holding the city back from development. We should help the people in Carson Harbor Village and other Carson trailer parks to relocate to nice trailer parks in the San Bernardino & Riverside area. Council Mike Gipson was right in NOT voting for the Carson Harbor Village Park people. He will make a good assemblyman. Mr. Goldstein has every right to develop his land and help to make Carson a great city.- Mr. Progress*

**"FREE COUNTRY"**

*posted: Sunday, October 14th at 1:03 AM*

*IN THIS COUNTRY YOU HAVE A RIGHT TO OWN LAND. WITH THAT LAND YOU HAVE A RIGHT TO DO AS YOU PLEASE AS LONG AS IT DOES NOT INFRINGE ON THE RIGHTS OF OTHERS. NO ONE HAS A RIGHT TO LIVE ON YOUR PROPERTY WITHOUT YOUR PERMISSION. WHEN YOU ALLOW SOMEONE TO LIVE ON YOUR PROPERTY YOU HAVE A RIGHT TO WHAT EVER COMPINSATION THE MARKET WILL ALLOW. RENT CONTROL SHOULD BE ILLEGAL. IF YOU CANT AFFORD TO LIVE ON ONE PROPERTY, YOU HAVE THE RIGHT TO LOOK FOR ONE THAT IS WITHIN YOUR FINANCIAL REACH. YOU SHOULD NOT BE LOOKING FOR ANYONE TO GIVE YOU A HANDOUT. THE ONLY PERSONS WHO SHOULD BE QUALIFIED FOR SOME TYPE OF RENT CONTROL IS DISABLED.*

*"You Pay, You Play -- otherwise you can only observe!"*

*posted: Saturday, October 13rd at 21:30 PM*

*It's sad, but we all realize, sooner or later, that "without this cash," our politicians cannot run for office. And sad as it is, "the politicians," our elected officials and public servants, as "frank h*

*just put it, they "DON'T work for the people, they work for the CASH." And so does everyone else. Without these various "benefits," no one dares to make a move. How else could these bozos stay in power? They still need our consent. So they bamboozle us, when the elections are coming up. - the Hawk!*

*posted: Saturday, October 13rd at 21:08 PM*

*Nice try whomever you are... I actually have a couple of degrees, own a home, but even more important I have a long background in public service and fortunately not being a slave to the almighty dollar! I now make enough for a comfortable living but most of all I enjoy serving people who both own and rent. I don't like seeing people being taken advantage of like the mobile home park residents of this state. There aren't too many, if any park owners going bankrupt and out-of business, even in rent-controlled jurisdictions. Mobilehome parks are considered cash cows, even in rent-controlled jurisdictions. Again, nice try, the only taking will be the park residents money for an inflated space price!- Rent Czar*

*posted: Saturday, October 13rd at 18:46 PM*

*the mobile home renters should have learned one very important lesson. never appeal to any politician for anything without first hiring a lobbyist. the lobbyist funnels cash into the politicians campaign coffers. without this cash, politicians cannot run for office. the politicians DON'T work for the people, they work for the CASH.- frank h*

**"Shame"**

*posted: Saturday, October 13rd at 12:16 PM*

*Shame On You Arnold. You're not looking out for the people who cannot afford to either buy land or rent at higher prices. We need the controls to keep greedy landowners from gouging. What a terrible blow for those who own mobile homes. Shame, Shame, Shame on you.- Brian and Julie*

***"Dearest Rent Czar ...."***

*posted: Saturday, October 13rd at 12:10 PM*

*If you had stayed in school, you would have received a degree. If you had a degree, you'd have a better paying job. If you had a better paying job, you could own instead of rent. Rent control is nothing more than the government's taking of property without compensation.*

***"The Point Is Money!"***

*posted: Saturday, October 13rd at 11:26 AM*

*I'm afraid some of you are missing the point. Most of the mobile home park owners involved in these conversion attempts bought their parks with rent control already in place and paid a lower price for their park because of the rent controlled income stream. Now they are looking to force the park residents into either paying sharply escalating rents or buying their spaces at a much inflated price over what the park owner could receive by selling the park as a whole. In-other-words, a \$25 million dollar park today becomes a \$75+ million dollar park overnight. The park owners are just looking to make a fast buck on the backs of their predominantly low and moderate income residents by forcing them into a no win situation. Greed, that is the point! And, as the final comment in the article above alluded, "Shame on you Governor!"- Rent Czar*

***"Mr."***

*posted: Saturday, October 13rd at 10:09 AM*

*In Hawaii, when the landowners enticed people to put their homes on their property, landowners enticed them with the promise of moderate rents also, ala mobilehome park owners. When the property is filled the rents were tripled & more. Renters there were also told to move if they couldn't afford it. Instead, they sued the landowners & won; even when appealed to the U.S. Supreme Court. SEE: "HAWAII HOUSING AUTHORITY v MIDKIFF ET AL, U.S. 229 (1984). 467 U.S. 229 HAWAII HOUSING AUTHORITY ET AL v MIDKIFF ET AL APPEAL FROM THE U.S.COURT OF APPEALS FOR 9TH CIRCUIT, No.83-141. Argued March 26, 1984 Decided May 30, 1984- Gerald Lenhardes*

***"Gene Maddaus - Liberal's Mouthpiece"***

*posted: Saturday, October 13rd at 9:51 AM*

*Why is it that Gene covers only liberal politicians and causes? I'm quite sick of his reporting. Do property owners have any rights, Gene? Do you think property owners should be forced by the government to subsidize those who can't make it on their own? Why should property owners pay for renters' mistakes? Anyone who believes they can retire in California and pay rent on a fixed income is an idiot unless they have a guaranteed life expectancy of 24 months or less. Real estate values keep going up and for some God unknown reason, seniors renting in mobile home parks demand that government pass legislation to suspend the laws of supply and demand. People make choices everyday. If your choice was to retire in one of the most expensive areas in the United States and rent on a small fixed income, live with it. It isn't your property and if others are willing to pay more for it, expect bulldozers. Now back to the Maddaus liberal whining report.*

***"RENT CONTROL"***

*posted: Saturday, October 13rd at 9:36 AM*

*RENTERS ALSO KNOW HOW TO GET EVEN, NOT MAD.- SLUGGER*

*posted: Saturday, October 13rd at 8:24 AM*

*The incentive to work hard, save, achieve your dream of investing in property and maintaining it properly so as to encourage inhabitants is being killed by rent control. We must learn to live within our means! If we cannot afford the rent we must move elsewhere. If we cannot afford new clothes we must shop the thrift stores. If we cannot afford a car we must use the bus or walk. That's life! Renters know rents can go up when they rent a space. Renters know they may have to move - yet some purchase large expensive trailers that cost a great deal to move. It is NOT the property owner's responsibility to support us! We are responsible for ourselves as soon as we become adults! - Great Grandma*

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