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THE VOICE

COALITION OF MOBILEHOME OWNERS

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Special Edition (Vacancy Decontrol, Condo Conversions)

We are publishing a Special Edition of THE VOICE because much is happening that you should know about.

The Senate Select Committee on Manufactured Homes just released a preliminary mobilehome and related bill list for 2009 (see pages 4-7). Pay special attention to two proposed bills:

AB 761 (Charles Calderon) – Rent Control and AB 566 (Nava) – Conversion of Parks to Condominiums

AB 761 is similar to AB 1309 which was introduced in 2007. This is what we had to say about it then:

A state assembly committee recently approved a proposed state law (AB1309) that would nullify local rent-control ordinances and allow unlimited rent increases for new tenants whenever mobilehomes (notice the word “coaches” in place of mobilehome in the article) are sold. This proposed law is authored by Western Manufactured Communities Association, the WMA.

We feel if this does become law, it will have a devastating effect on all owners of mobilehomes. For example, we have a Rent Stabilization Ordinance here in Los Angeles which allows parks to increase rents upon sale by 10%. This means if your rent is \$500 and you sell, your buyer’s rent increases \$50 to \$550. A \$50 rent increase translates into an equity loss (your home is worth less) of about \$5,000. If AB1309 were to become law, there would be NO CAP for new tenants. Their rent could easily DOUBLE. Based on our example, their space rent

could jump to \$1000, a \$500 rent increase! So what happens to your equity and your sale? YOUR HOME IS WORTH \$50,000 LESS! Not the \$5,000 under the present law. YOU LOSE \$45,000 more! Of course this is an estimate of the effect of AB1309, but let’s not wait to find out when it becomes law.

Remember this applies to areas presently having rent control, with an ordinance that caps rent increases upon sale. In areas without rent control, park owners can already increase your rent to any level. You are already at their mercy.

AB 566 (Nava) – Conversion of Parks to Condominiums. Remember AB1542? It was vetoed by Governor Schwarzneger with the following message: “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 state-wide standards for rent control seems confusing and unnecessary.” More about AB566 next issue. (CoMO-CAL supports it!)

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THE VOICE is published bi-monthly by the Coalition of Mobilehome Owners—California for the use of its members. THE VOICE welcomes articles of interest to mobilehome owners.

CoMO-CAL, Inc. is a non-profit 501(c)3 charitable 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.

Purchase your Park

David Loop, Attorney (Aptos):
 831-688-1293

Deane Sargent (Ashland Oregon):
 541-708-5131

DVD on purchasing your park—
 on request

George Turk (Millennium Housing): 949-515-5100

Failure to Maintain Attorneys

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“Summit” of State-Wide Advocacy Groups in Sacramento on February 27, 2009

CoMO-CAL attended a “summit” of state-wide advocacy groups in Sacramento on February 27, 2009. GSMOL lobbyist Brian Augusta and Legislative Consultant Christine Minnehan organized the meeting. The following agenda was made available to us three days prior to the meeting:

- 10-10:15 Self Introductions
- 10:15-45 Each organization will present its 2009 legislative bill package, and will distribute bill language and bill fact sheet.
- 10:45-11:30 Senate staff and Christine Minnehan and Brian Augusta will lead discussion on components of effective capitol advocacy. Other lobbyists will provide their perspective.
- 11:30-1 Each group will lay out their challenges coordinating with other MH groups on bill packages.
- 1-2 Group will decide on legislative coordination this year, discuss elements of a formal agreement and schedule a Fall meeting to finalize agreement for 2010 and years after.

Christine Minnehan, chaired the meeting. CoMO-CAL was represented by President Frank Wodley, Vice President Bob Hites, and CoMO-CAL Attorney David Grabill. Others included GSMOL Lobbyist Brian Augusta, GSMOL President Tim Sheahan, GSMOL LAT Committee Chairman Jim Burr, Samii Taylor of The Windsor Group, CMRAA President Gus Colgain and his wife

Joanne Colgain and John Tennyson, The Senate Select Committee.

Prior to the meeting, a guideline of conduct was presented to keep the meeting orderly, which it was.

GSMOL presented AB 869 (Mendoza) – Park Manager Certification, the one bill GSMOL is sponsoring in 2009. The Windsor Group (Samii Taylor) and Neighborhood Friends are sponsoring AB1108 Master Meter. CoMO-CAL talked about the Washington State Enforcement law (see page 4 for an explanation).

A good portion of the meeting dealt with the challenges of groups working together. CoMO-CAL welcomes the opportunity to be included and thanked Christine and Brian for the invitation. We have definite ideas how advocacy groups should interact, both between themselves and their membership. In fact we have written several articles on Ethics and Advocacy. Frank Wodley presented a Code of Ethics and recommended that a second meeting be held, including all advocate groups around the state. These suggestions, as well as others, were taken “under advisement” by Christine and Brian.

We are pleased to hear a second meeting is scheduled for April 2, 2009 and the Code of Ethics will be central to the discussion. Our hope is that all state-wide groups and many of the county and city wide groups will adopt it.

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2009 Preliminary Mobilehome and Related Bill List*

The following is a preliminary list of mobilehome and related bills for 2009. It comes from the Senate Select Committee and John Tennyson. We have already written about AB 761 (Charles Calderon) – Rent Control and AB 566 (Nava) – Conversion of Parks to Condominiums. Another bill of concern is AB 481 (Ma) – Rent Control (See page 12 for an analysis of this “bad” bill by CoMO-CAL Attorney David Grabill).

CoMO-CAL supports:

AB566 (Nava) Conversion of Parks to Condos

SB 23 (Padilla) Park Emergency/Evacuation

CoMO-CAL opposes:

AB 761 (Charles Calderon) – Rent Control

AB 481 (Ma) – Rent Control

You may ask why CoMO-CAL did not sponsor any bills for 2009. If you read THE VOICE, you will understand our stance regarding new legislation. In fact have been an active participant with the City of Carson and their lobbyist Jim Dantona, who is spearheading AB455 and we support their

efforts 100%. And we intend to oppose AB761 and AB481 with equal vigor.

WE SUPPORT ENFORCEMENT OF LAWS

We have written several articles about the MRL and enforcement. As the law is written today, it is up to you and I to retain an attorney and go to superior court to enforce the MRL. Park owners know this. Who has the money, the will, and the time to take a park owner to court? Especially when owners are supported by a group of highly paid attorneys.

One priority of CoMO-CAL this year is to bring Washington State’s “Manufactured Housing Dispute Resolution” program to the attention of mobilehome owners and legislators here in California. This law has much potential. Remember, for \$10/space/year (50% paid by owner, 50% paid by resident), Washington State’s Attorney General’s office has hired one attorney and five support staff. If you have a computer with internet, you can download the 2008 year end report at: http://www.atg.wa.gov/uploadedFiles/Home/Safeguarding_Consumers/Landlord-Tenant/Mobile_Home_Landlord-Tenant/MHDRP_Executive_Summary_Final.pdf

SENATE BILLS

SB 23 (Padilla) – Park Emergency/Evacuation Plans

There is no current state requirement for mobilehome parks to have emergency preparedness or evacuation plans in the event of a disaster. This bill requires that, on or after January 1, 2010, mobilehome parks must develop and implement an emergency and fire safety plan that includes emergency services training for park managers and on-site employees and requires the park to distribute and post the plan in a public area accessible to all residents. The bill would also provide that these requirements do not prohibit a local government agency from enacting or adopting

more stringent standards to ensure fire prevention and public safety.

Status: Introduced Dec. 1, 2008, assigned to Sen. Trans. & Housing Com. for hearing

SB 111 (Correa) – The Mobilehome Residency Law (MRL) Reorganization

Sometimes called the landlord-tenant law for mobilehome parks, the MRL sets forth the rights and responsibilities of the mobilehome park management vis-à-vis the rights and responsibilities of homeowners and residents living in California’s 4,705 parks. This bill would reorganize the Mobilehome Residency Law by regrouping various disparate

provisions or sections into related categories or articles, such as “Utilities” or “Rental Agreements,” etc., to make the MRL easier for laypersons to understand.

Status: Introduced January 28, 2009, assigned to Senate Judiciary Committee for hearing

SB 120 (Lowenthal) – Notice of Termination of Utilities in Master-Meter Parks

Revises various protections afforded tenants under existing law, such as the return of security deposits and prohibitions against cutting off utilities or locking residents out, to mortgage lenders and banks, so not just landlords must honor these protections after a foreclosure sale on the property. The bill also provides that a regulated utility, as well as public utility district or agency, providing heat, light or power, must notify renters, including occupants of master metered multi-unit dwellings and mobilehome parks, by mail as well as posting, of the termination of utility service due to the fact the landlord or park failed to pay the utility bill, 15 days prior to termination of utility service.

Status: Introduced February 2, 2009, assigned to Senate Judiciary Committee for hearing

SB 224 (Correa) – CalHome Program

The state’s CalHome program provides loans and grants to help lower-income homeowners purchase or rehabilitate their homes, including mobilehomes. This bill provides that local agencies administering these state funds cannot discriminate, in their underwriting criteria, in making loans or grants to low-income homeowners solely on the basis that the home is a mobilehome or manufactured home or that it is located in a mobilehome park. The bill also clarifies that ignition resistant exterior components, now required by the Department of Housing (HCD) as the result of recent wildfires for mobilehomes located in or outside mobilehome parks in wildfire urban interface zones, shall be eligible as “rehabilitation” for the purposes of CalHome rehabilitation grants.

Status: Introduced February 23, 2009, to Senate

Rules Committee for assignment

SB 251 (Sen. Trans. & Housing Committee) – 2009 Omnibus Housing Bill

By combining multiple, non-controversial or minor changes to statutes in one “omnibus” bill rather than separate bills, the Legislature can be more cost-effective. Among other provisions, this Omnibus bill corrects a minor error in a bill from last year (AB 2050, Garcia) relating to verification that water heaters in mobilehomes and manufactured homes have been strapped.

Status: Introduced February 24, 2009, to Senate Rules Committee for assignment

SB 398 (Correa) – Fire Code Enforcement in Mobilehome Parks

The Department of Housing and Community Development (HCD) has pre-emptive authority for health and safety (including fire) code enforcement in mobilehome parks, except that upon a 30-day notice to HCD a local fire agency may assume jurisdiction for certain limited fire code requirements in parks, such as weed abatement, fire hydrants, parking, flammable materials, and burglar bars. This bill would require a local fire agency to give HCD a 90-day notice before assuming such authority. The bill may be used as a “vehicle” for making other changes to code requirements in parks.

Status: Introduced February 26, 2009, to Senate Rules Committee for assignment

SB 622 (Cedillo) – Park Plan Checking Fees

The Mobilehome Parks Act requires a permit issued by the Department of Housing and Community Development (HCD) or a local agency that assumes enforcement jurisdiction from HCD for the any construction or alteration in a mobilehome park. Currently the plan checking fee is one-half of the plumbing, electrical, mechanical or construction permit fee or a minimum of \$10. This bill increases the fee to \$11. Possible “spot bill.”

Status: Introduced February 27, 2009, to Senate Rules for assignment

SB 804 (Leno) – Mobilehome Sales and Replacement Homes in the Park

The Mobilehome Residency Law provides that the park management may not require a homeowner selling his/her home in the park to use the management or a specified dealer or broker approved by management as an agent in the sale as a condition of management approval of the buyer for residency in the park. This bill prohibits park management from requiring a homeowner, who is replacing a mobilehome, on the space in the park in which the homeowner resides, from using a specific broker or dealer in the purchase or installation of the replacement home.

Status: Introduced February 27, 2009, to Senate Rules for assignment

ASSEMBLY BILLS

AB 313 (Fletcher) – Common Interest Development (CID) Assessments

Amends the Davis-Stirling Common Interest Development Act, which regulates CIDs including some resident-owned mobilehome parks, to prohibit a homeowners association from levying assessments on members based on the taxable value of a homeowner's separate interest unless the association, on or before December 31, 2009, in accordance with the CID's declaration, levied the assessment on the taxable value of separate interest as determined by the county tax assessor. Status: Introduced February 17, 2009, to print

AB 481 (Ma) – Rent Control

Current law provides that a mobilehome located on a space in a mobilehome park is exempt from local rent control protection if the park management can show, based on public records, the home is not the homeowner's principal residence. The rent control exemption also does not apply if the park does not permit the homeowner to sublet the space within the park that is subject to rent control. This bill eliminates the public record and subletting requirements.

Status: Introduced February 24, 2009, to print

AB 566 (Nava) – Conversion of Parks to Condominiums

The Subdivision Map Act provides that local governments are limited to imposing only certain state requirements upon converters of mobile home parks to condominium resident ownership. This bill would expand one of the state requirements for a survey of resident support by providing the survey must show support of the majority of the residents in order for the converter to obtain a map from the local jurisdiction. The bill would also provide that local agencies are not prohibited from enacting "reasonable" measures in addition to current state requirements to prevent "sham" conversions or to preserve affordable housing.

Status: Introduced February 25, 2009, to print

AB 761 (Charles Calderon) – Rent Control

Approximately 100 local jurisdictions have some form of mobilehome park rent control in California. This bill would provide for a "vacancy decontrol" feature for mobilehome park tenancies by specifying that upon the sale, transfer, or termination of an interest in a mobilehome or tenancy in a park, the park may offer a new rental agreement with rent terms in excess of that established by a local rent control ordinance or measure. After execution of the rental agreement with the new higher rent, however, the rent control measure could thereafter apply to rent increases during the term of the agreement.

Status: Introduced February 26, 2009, to print.

AB 869 (Mendoza) – Park Manager Certification

Although the Mobilehome Residency Law and the Mobilehome Parks Act impose some duties and responsibilities on mobilehome park owners and managers, currently there is no state requirement for licensure or training of park managers. This bill would establish a system of voluntary certification, requiring managers to complete 10 hours of training in specified subjects, including the Mobilehome Residency Law and dispute resolution, among others, from a

trade association or accredited postsecondary educational institution, in order to be certified. The bill would also require parks that fail to correct health and safety violations within 120 days of a citation to thereafter have the park manager certified within 60 days.

Status: Introduced February 26, 2009, to print

AB 897 (Assembly Committee on Housing and Community Development) – Mobilehome Residency Law (MRL) – This bill makes a non-substantive change in the MRL relating to the definition of management. Possible “spot bill.”

Status: Introduced February 26, 2009, to print

AB 1059 (Silva) – Mobilehome Park Conversion & Relocation – Bankruptcy

This bill makes numerous changes in various state laws to conform to recent changes in federal bankruptcy laws and to correct obsolete references. Among other provisions, wording relative to the inapplicability of mobilehome park conversion and relocation requirements when a park closes as the result of an adjudication of bankruptcy is changed to as the result of “the entry of an order for relief in bankruptcy.”

Status: Introduced February 27, 2009, to print

AB 1061 (Lieu) - Common Interest Developments (CID) – Water Conservation

This bill would provide that any CID governing documents that prohibit or impose conditions on the use of low-water using plants as a group, or have the effect of prohibiting or conditioning compliance with local water-efficient landscape or conservation measures are void and unenforceable. This bill could affect some resident owned mobilehome parks that are CIDs.

Status: Introduced February 27, 2009, to print

AB 1108 (Fuentes) - Master-Meter Utilities – Maintenance Costs & Late Fees

Master-meter utilities, such as most mobilehome parks, receive gas and electric service from a regulated utility corporation or a public district at the master meter but operate and maintain their own gas and electric utility systems and bill residents for utility use within the park. Master-meter utilities are mostly unregulated, although the Public Utilities Code requires that where gas or electric service is provided to a master-meter operator, the operator must charge the same rate to individual residents as the regulated utility or municipal utility district would charge if the utility or district were serving those residents directly. This bill provides that if the Public Utilities Commission finds that a master-meter customer has failed to maintain or repair its sub-meter facilities, the commission may order the master-meter customer to repair those facilities and require that funds from the rate ‘differential’ or discount afforded master-meter customers be placed in trust for such maintenance and repair. The bill also regulates any utility late charges assessed by the master-meter customer on residents by limiting the amount late fees to that amount which the serving utility or public district could charge.

Status: Introduced February 27, 2009, to print

AB 1474 (Cook) – Mobilehome Code Standards

The Mobilehome-Manufactured Housing Act prohibits the sale, rental, or lease of any manufactured home or mobilehome manufactured after September 1, 1958 that contain structural, fire safety, plumbing, heating, or electrical systems that do not meet requirements of the Department of Housing and Community Development (HCD). This bill makes a one-word non-substantive change in this requirement. Possible “spot bill.”

Status: Introduced February 27, 2009, to print

*as of February 28, 2009

Understanding Mobilehome Park “Condo Conversions” by David Loop

Editor's note: Attorney David Loop has again been kind enough to write an article, this time explaining mobile home park subdivisions (“condo conversions”). This is a complicated subject; few mobilehome owners really understand what it means. It is a serious threat to mobilehome owners throughout California. Although these conversions have primarily been in rent control areas (where they break local rent control), now some park owners are also trying to subdivide parks in areas without rent control. The reason is they hope to make much more profit by selling individual lots to homeowners, rather than simply selling the park as a whole.

Park owners’ attorneys (such as Richard Close – Santa Monica and Sue Loftin – Carlsbad) are traveling all around California telling mobilehome owners that subdividing is the American Dream - your chance to own your piece of land.

But beware. One serious question: At What Cost? In fact, residents in parks “going condo” only find out at the last minute what the cost of the lots will be. It's like going to purchase a new car, and then finding out how much you'll pay after signing on the bottom line. How can this be right?

David Loop has written a series of articles for The VOICE on the best ways that residents can purchase the parks where they live. Usually, this means that the residents form a homeowners association, which buys the park as one parcel of real estate. These articles are must reading if you are thinking about purchasing your park. If you are interested in reading any of these articles, you can order back issues of the VOICE from CoMO-CAL for \$1.50/issue (printing and mailing included).

To understand the effects of subdividing (“condo-izing”) a mobilehome park, ask **“Who’s involved, and what’s in it for them?”** Subdividing benefits some of the people involved, while others lose out.

What’s in this for the park owner?

Most of the time, MH park owners sell their entire park as one parcel of land - usually to another investor. Sometimes the park residents buy the park through their homeowner association and it becomes “resident owned.”

Today, some park owners are trying to subdivide their park into “lots,” then sell these lots to the park residents. Over the long-term, there is much more profit for the park owner in selling individual lots, rather than selling the park as one parcel of land.

Higher profits for the park owner are only part of the story. Subdividing the park takes it out of

local rent control, and puts it under “state” rent control laws that apply to subdivisions. These laws give MH park residents much less protection than local rent control ordinances.

What’s in this for the residents who “buy their lots?”

Residents who buy their lot (either by paying cash for it, or financing it with a mortgage loan), “own the dirt” under their home. They will now pay property taxes on their lot. They also get an ownership interest in the park’s common areas and facilities (e.g., roads, water and sewage systems, clubhouse, etc). They must contribute to the maintenance of the common areas and facilities. Every lot buyer must pay each month toward park operation and maintenance. It is debatable whether or not residents who buy their lots benefit economically in the long run.

From the beginning of the subdivision process, residents want to know, “how much will it cost to

Continued from page 8:

buy my lot?” The answer is – you won’t know until the park owner sets the price. But by the time the price of the lots is finally set, the park will already be “subdivided.” At that point, residents have little negotiating power regarding the lot price. Your choice will be “take it or leave it.”

Remember that until 51% of the lots are sold by the park owner, he or she keeps control over the entire park. This means that for a 100-space community, the park owner controls all of the park until 51 lots are sold to homeowners. History has shown that selling 51% of the lots can take years to accomplish.

What’s in this for the park’s “low income” residents?

Low-income households get some protection under state rent control. (For the definition of a “low income” household in your city or county, contact your local housing department).

Low-income households don’t buy the lots under their mobilehomes; they can’t afford to. They simply continue to rent their space. But when they sell their homes, they get none of the benefits of land ownership. The *park owner* owns the lot under their home; the *park owner* sells this lot to the homebuyer. When low income residents sell their homes, the value of the “lot” goes to the park owner. This reduces the value of their homes. The home equity of the “low-income renters” can largely disappear when they sell their homes after a park has been subdivided.

What’s in this for residents who are not “low-income”?

What happens to those residents who don’t buy their lots, and who are not “low-income?” The answer is: after the park is subdivided, your local rent control is gone. State rent control comes into force. It allows the park owner to

gradually increase your rent over the next four years, and then charge you “fair market” space rent. Said another way, “state” rent control disappears four years after the subdivision is approved. Then, the park owner can raise your rent to whatever the market will bear.

What Can You Do?

Don’t “roll over and play dead.” Instead, (1) get organized and (2) fight these subdivision schemes. Voice your concerns to your city council and your county board of supervisors. Most local governments see MH park subdividing for what it mainly is: an effort to break local rent control. But will your city council or board of supervisors have the courage to stop MH park subdividing in your area?

Some local governments have put moratoriums on MH park subdivision. When this happens, local park owners usually abandon their subdivision plans. But other local governments have let MH park subdivisions proceed. These governments have either been sued by park owners intent on subdividing, or fear they will be sued. That means incurring legal fees to defend lawsuits brought by park owners. Essentially, these local governments decide that helping mobilehome residents just isn’t worth the economic risk to the city or county.

Encourage your local government to prevent MH park subdividing in your area. Ask your local government to protect affordable housing. Until California’s laws are changed to protect mobilehome owners from subdivision schemes (perhaps by AB566 –NAVA), cooperation from your local government is your best hope.

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

Results of Online Survey of February 18, 2009 - Mobilehome Owners Speak Out

On February 18, 2009 CoMO-CAL sent out a survey to about 1,000 mobilehome owners in California. The survey was completed by 80 and we appreciate their participation. Here are the results.

What can you do? How would you have answered the questions? Take the survey yourself. CoMO-CAL will publish our opinions next month. The results are quite interesting.

1. Do you know about the MRL?

- Yes (89%),
- No (11%)

2. The MRL (Check all that apply):

- Is short for Mobile Response Legislation (3%)
- Is short for Mobilehome Residency Law (97%)
- Should be delivered to you at the beginning of the year by your park management (77%)
- Is a Civil Code (64%)
- Applies to anyone, i.e. residents and non-residents alike (29%)
- Is about rent control (19%)
- Gives 12 reasons for termination of tenancy (29%)
- Contains a Disclosure Form which the park is required to give residents (38%)
- Contains laws for the transfer or sale of your home 68%)
- Does not guarantee you may distribute literature on mobilehome issues in park (17%)

3. The MRL is enforced by (check all that apply)

- Housing and Community Development (30%)
- GSMOL (2%)

- CoMO-CAL (5%)
- Housing and Urban Development (HUD) (10%)
- California State Attorney General (22%)
- Local Building and Safety (10%)
- None of the above (20%)

4. Have you ever gone to court to enforce your rights as a mobilehome owner?

- No (84%)
- Superior Court (9%)
- Small Claims Court (7%)

5. Do you know that Washington State has a program called “Manufactured Housing Dispute Resolution” whereby residents can send a complaint to the State Attorney Generals office and they will help resolve it?

- Yes (51%)
- No (49%)

6. Please prioritize issues in your park (1-10scale)

- Manager violates the MRL (6.9)
- Management unresponsive to residents concerns (6.6)
- Park not maintained (6.0)
- Management harasses, intimidates or bullies (5.8)
- Management won't approve qualified buyers (5.1)
- Pro-management residents (5.1)
- Management interferes with distribution of literature (5.0)
- No rent control (5.0)

- Management requires older homes to be removed upon sale (4.9)
- Clubhouse closed (4.7)

7. What should a state-wide group do for its membership (scale 1-5) Highest priority listed first.

- Oppose laws that would hurt mobilehome owners (4.8)
- Educate mobilehome owners (4.7)
- Information (newsletter) (4.6)
- Work to unite mobilehome owners (4.5)
- Spearhead and/or support new laws (4.5)
- Network active individuals across California (4.3)
- Other (4.3)
- Tell us about others who really help us, like other advocates (4.2)
- Online/phone assistance (4.1)
- Hold regular meetings in my area (3.9)

8. Should a state-wide advocacy group follow a Code of Ethics?

- Yes (100%)
- No (0%)

9. If you believe a state-wide advocacy group should follow a Code of Ethics, which should apply (listed in order of importance)

- Focus on serving other mobilehome owners
- Promote and link to other organizations that help mobilehome owners
- Be open to members suggestions and criticism
- Network with other advocacy groups
- Promote the general welfare of mobilehome

owners

- Be transparent with finances, assets, and goals
- Respond promptly to members, either verbally or in writing
- Provide a list of services and benefits to prospective members
- Give members ALL information when asked
- Other...

10. CoMO-CAL will attend a “summit” on February 27th with other state-wide groups. What new laws would you like to see us support?

Listed in order of preference, highest first:

- A means to ENFORCE the MRL laws
- Laws to compensate us when a park is closed
- Resident approval of “CONDO CONVERSIONS”
- Protection against unlawful evictions
- Protection from management problems, including harassment and intimidation
- Allow for resident controlled “bulletin board.”
- Other
- Protection from interference of sales by management/owner of park
- Laws to protect against foreclosure

11. Do you have a home owners association (HOA) in your park

- Yes (66%)
- No (33%)

Thanks again to those who took the survey. We will be commenting on it in the next issue of THE VOICE.

Analysis of AB 481 (Ma) – Rent Control by CoMO-CAL Attorney David Grabill

San Francisco Assemblymember Fiona Ma has no mobile home parks in her district. So why did she introduce a bill -- AB 481 -- which would give park owners a whole new way to threaten and intimidate residents of parks under local rent control?

Rent control, of course, keeps mobile home living affordable for seniors and others in areas like San Jose, San Rafael, Santa Rosa and a hundred other cities and counties. Many park owners look for every possible legal (and extra-legal) way to get around rent control ordinances because residents don't have the luxury of moving out if rents are too high.

Section 798.21 of the MRL says if a mobile home is not the **principal residence** of the homeowner, and if it's not rented to someone else or on the market for sale, it may become exempt from local rent control. This loophole is not used much because it's difficult for park owners to prove that someone's "principal residence" is not in the park. But AB 481, Fiona Ma's bill, would make it much easier for the park owner to invoke this exemption from rent control and jack up the rent for space to whatever level they choose.

AB 481 lets the park owner claim that the home is not the principal residence "if the homeowner does not carry on basic living activities at the unit for extended periods of time demonstrated by a lack of utility usage." But the term "extended" isn't defined. Is it three months, one month, or one week? And what does it mean by a "lack of utility usage" - if a senior on fixed income can't afford much heat or electric, and wraps up in blankets to stay warm so their utility bills are low, is that grounds to ax rent control for their home?

The bill allows the park owner to declare the unit exempt "if another property or unit is listed as the homeowner's place of residence on any motor vehicle registration, driver's license, voter registration, or with any other public agency, including federal, state, and local taxing authorities." But public records often are incorrect and out of date. If

someone moves into a mobilehome park, it could be years before their former address comes off their voter registration, vehicle registration, etc.

The bill would allow other grounds for a park owner to declare the unit exempt from rent control because it's not the "principal residence" of the resident:

-- if utilities for the mobilehome are billed and mailed to a different residential property, but many seniors have utility bills mailed to a relative who makes sure they're paid (so phones, gas and electric don't get turned off);

-- if the homeowner is owner of record of a different residential property (so if you helped buy a home for a child and are listed on the deed, or have a vacation home somewhere else, or moved into the mobilehome after a divorce or death of a spouse but your name's still on title for the former home, you could be screwed by this bill.

-- if the homeowner is absent from the unit for extended periods of time, other than for reasons listed in the bill, the park owner could declare the home exempt from rent control. Again, "extended" is not defined... Is it three months, one month or a couple weeks?

-- if the mobilehome has been subleased, except for a medical hardship, as described in Section 798.23.5, or possession has been transferred without management's approval, as provided in Section 798.74. But the phrase "possession has been transferred" is very fuzzy. If your sister stays in your home for a month or two while you're in Europe, you could be screwed.

The bill has many other bad points which can't all be listed in the limited space. Why is Assemblymember Ma -- who has been a leader in the legislature against domestic violence -- carrying a bill would subject many mobilehome residents to the violence of losing the rent control protections for their homes? Why is it necessary to change our current law -- that seems to be working fine. Please call her (at 916 319-2012) or e-mail her using the form on her website and ask her to drop the bill.

How are California Mobilehome Owners like Passengers on the Titanic?

The Titanic was officially launched from Southampton, England, on April 10, 1912. While the ship carried more than 2,200 passengers and crew, Titanic was equipped with only 16 lifeboats, with a capacity of 1,708. The White Star Line had decided to use only half the number of boats the Titanic could carry in order to alleviate what was referred to as a "cluttered" feeling on the main deck of the ship.

Twenty-five minutes after the crash, the ship's officers ordered the lifeboats uncovered and began preparing the passengers and crew for evacuation. The first lifeboat was launched twenty minutes after the orders were given. Despite having a carrying capacity of 68, the first lifeboat launched with only 28 passengers. When the last boat launched, there were more than 1,500 passengers left on board. The lifeboats contained mostly women and children.

In our analogy, the approximately 4,822 California Mobilehome Parks is the "Titanic," which holds approximately 700,000 "passengers", instead of the 2,200 for the real "Titanic." The threat comes not from an iceberg, but from greedy, unscrupulous park owners, often times large corporations, who are only interested in their bottom line.

In our analogy, a SOS has been sent out by thousands of residents – for years now – about such issues as out of control managers, rising rents leading to economic eviction, harassment, intimidation, loss of property values, etc. For the Titanic, there are NO SHIPS close to the Titanic ready to pick up those 1,500 passengers. In our case, there is no organization, nor government agency that can or will help us. How do we know this? If someone were helping us, do you think our predicament would be as bad as it is today? I think not!

Most of the passengers thought the Titanic was unsinkable. Not to worry! When we purchased

our mobile/manufactured homes we had the same thought. A park would be a terrific place to live, less upkeep, a sense of community, low rents... Today many mobilehome owners still have no clue what might happen. Many more though are very worried about rising rents, lack of park maintenance, out of control managers, etc. And those living in parks with responsible, caring landlords are worried the park might be sold to a large corporation, like Equity Life Styles owned by Sam Zell. Just ask those who have tried to sell their homes, and the park has "interfered" with their sale by blocking buyers, demanding costly improvements, etc.

Ultimately we are all passengers on our "Titanic." Ultimately we are all in jeopardy, if not today, then perhaps tomorrow. These changes can happen overnight. Today we have NO CONTROL what happens. Our park could be sold, our owner might decide to do a "condo conversion," or give us a \$200/month rent increase if we don't have rent control.

CoMO-CAL believes there is only one way we can deal with present or future threats. That way is to UNITE. If you live in a park where there are serious issues, you MUST form a Home Owners Association. Let us help! It can be a CoMO-CAL Chapter.

You must have a PLAN. CoMO-CAL can help with that too. But for mobilehome owners to be "saved" we must all work together.

HELP US HELP YOU

ORGANIZE

DONATE

VOLUNTEER

COMMUNICATE

NETWORK

Time For A Reality Check & Who Do You Trust? By Frank Wodley, CoMO-CAL Pres.

Who Do You Trust?

Never in my life have I had this experience - not really knowing who I can trust. This is crazy! You'd think all mobilehome owners would be on the same page, but that is not the case. One key strategy of park owners and managers is to recruit "toadies" who are pro management and actually hinder advocates, their friends and neighbors.

Unfortunately the same applies to some advocates. Many are really only in this for themselves and do little to help us. They just want to preserve their little kingdoms. Please know who you support.

You Can TRUST CoMO-CAL

CoMO-CAL has been pushing a Code of Ethics for all advocates. 100% of those taking our online survey agreed - advocates should adopt a Code of Ethics. CoMO-CAL is transparent and is working hard for you! We are here when you need us and are brainstorming long range solutions.

We Have Had Tremendous Success

Take just one item: rent control in the City of Los Angeles. We exposed the fact that all park owners violate the RSO. In fact we saved residents of six parks over \$70,000. All on a budget

of about \$25,000/year. I'd say that is a victory!

The Threats Are Real

Today park owners continue to mount ever more threats. Your park owner can begin a "condo conversion" in your park tomorrow. Just ask the folks in Goleta, Carson, Chino, Santa Rosa, and several other cities. AB761 could cost us our homes. This is a fact! The threats are real.

What Can You Do?

TRUST US. We are all in the same boat. All of us at CoMO-CAL are mobilehome owners and we will lose, just like you.

UNITE: We must unite. We MUST DO IT. Please do your part and tell your friends and neighbors. Tell them to join CoMO-CAL, our best hope to protect our investment in our homes.

WE NEED YOU: We need your help, your active participation and your donations. We need you to promote the idea of UNITY. Don't just read this and forget about it. Let's do this together.

CoMO-CAL HAS ANSWERS: We have answers, but can't do it without volunteers and donations. It is not hopeless. Take charge! Pick up the phone today. **HELP US HELP YOU. It's your home and lifestyle that is in jeopardy.**

CoMO-CAL This & That

1. **RENEWALS:** When renewing, DO NOT fill out another application. If your contact information has changed or you have email, please let us know.

2. **WELCOME:** Welcome all who have just joined CoMO-CAL. And know we are here to serve you. Give us a call and say hello. Tell us

what you think about THE VOICE and what's happening in your park. We're always happy to chat with you. (800-929-6061)

3. **ROAD TRIP:** Bob Hites and Frank Wodley toured Northern California after attending the summit on February 27th. They met with mobile-home owners in Chico, Calistoga, Santa Rosa,

Windsor, and Novato. Frank also stopped in Modesto, East Palo Alto, San Jose, Felton, Aptos and other areas. It was a productive trip. Nice to see all and thanks for your hospitality.

4. What Are We Working On?:

- We will continue our efforts to reach out to mobilehome owners all across California. We have already sent out 5,000 fliers regarding our \$6/year THE VOICE program.
- We need volunteers for rent control areas - we want CoMO-CAL to be the “watch dog” organization across California. Call us!

- We need help with our website
- We need CoMO-CAL representatives

5. THE VOICE: We want our newsletter read by as many mobilehome owners as possible. This is about education, communication and unity. THE VOICE is rated as the best newsletter in California and provides important information. If you have an HOA, why not purchase (\$1.00 per copy) THE VOICE for just one month - your residents will be impressed. And we will take local news and integrate it into THE VOICE - customized just for your park, at no extra charge. Call us for further information.

CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

NEW MEMBERSHIP APPLICATION (Print Please)

NAME: _____ Date: _____

PARK NAME: _____ SPACE #: _____

MAILING ADDRESS: _____ CITY _____

E-MAIL ADDRESS: _____ ZIP _____

APPLICANTS PHONE NUMBER (_____) - _____ - _____

SIGNATURE OF APPLICANT _____ SPONSORED BY _____

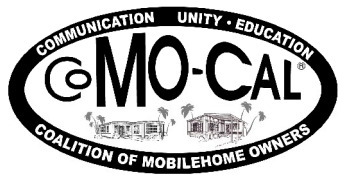
Check # _____ Amount: \$ _____ Money Order () Amount: \$ _____

MEMBERSHIP (\$20.00/12 Months, \$54.00/36 Months) 90 day full refund guarantee if not satisfied

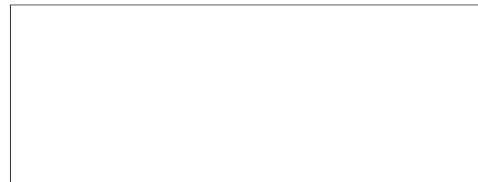
PLEASE INCLUDE CHECK OR MONEY ORDER PAYABLE TO “CoMO-CAL” & THANK YOU FOR JOINING

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

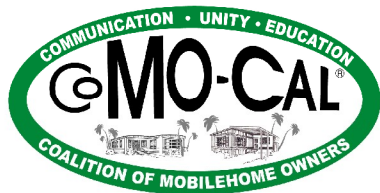


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SERVICES WE PROVIDE OUR MEMBERS

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

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