



FOUNDED NOV 2004

# *THE VOICE*

COALITION OF MOBILEHOME OWNERS

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ISSUE 5

## Legal Services Now a Reality

CoMO-CAL is teaming with attorney Jon Heim and others to provide legal services to our members. Here is how the program works: To receive legal services benefits, you must:

- Be a member in good standing, with dues paid up to date
- Have paid an **annual \$15 legal services fee.**
- The issue MUST be a mobilehome issue.

### Legal Services We Will Offer

Benefits for existing members start immediately, i.e. if you have a need for our legal services, call or send us an email today. The waiting period to talk with an attorney is 120 days for new members. New members can use the letter writing or ask a question immediately.

- You can talk with our attorney, Jon Heim, for 1/2 hour, free of charge. Or if you use another attorney, we will reimburse your costs up to \$75.
- Jon Heim will write a letter to your manager or park owner for \$135/letter. No limit. CoMO-CAL will assist in the process, no charge.
- If you have a question about the law, we will provide you a written answer from an attorney for \$35/question.

Jon Heim usually charges \$350/hour. He has written several articles for THE VOICE on various subjects of interest to mobilehome owners. And he has provided CoMO-CAL other assistance free of charge. Mr. Heim has always been prompt and professional. We recommend

Mr. Heim, and thank him for his continued assistance.

Attorney David Loop may participate also. If you have an attorney you can recommend, please let us know and we will add them to our list on Page two and three.

### Frequently Asked Questions

**Question:** I've heard about legal help before from CoMO-CAL. Will this program really happen?

**Answer:** YES, it starts July 1, 2009

**Question:** When can we send our \$15?

**Answer:** Do it today. We will keep track who has sent in their fee and when. We want you to start using this service ASAP.

**Question:** I've already sent CoMO-CAL money for legal services. Am I covered?

**Answer:** Yes. Your year of coverage will start July, 1, 2009 and extend one year through June 30, 2010.

**Question:** How do I use the service?

**Answer:** Call, mail or email us your request.

**Question:** I have questions. Who do I contact?

**Answer:** Call Frank Wodley, CoMO-CAL President at 800-929-6061 or 818-886-6479.

### Service is Our Goal

CoMO-CAL is continually striving to offer important services to our members. We hope this will motivate others to unite with us. Please tell your friends and neighbors. We are making a difference and thank you for your support.

**FOR PEACE OF MIND**

**JOIN THE LEGAL FUND TODAY**

**EDITOR—THE VOICE**

**FRANK WODLEY**  
**800-929-6061**  
**P.O. Box 4821**  
**Chatsworth, Ca. 91313**  
**fawodley@yahoo.com**

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CoMO-CAL, Inc. is a non-profit 501(c)3 charitable organization committed to protecting the rights of mh 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**

Endeman, Lincoln, Turek and  
 Heater (ELTH) San Diego  
 800-895-5053

**HCD - Riverside**  
 909-951-4431 or 909-782-4420.

**THE CoMO-CAL TEAM**

**FRANK WODLEY**  
 President  
**818-886-6479**  
**fawodley@yahoo.com**

**BOB HITES**  
 Vice President  
**530-743-2965**  
**anvil95993@yahoo.com**

**SALLY STUDER**  
 Vice President  
**Stanislaus Mobilehome**  
**Owners - Advocates**  
**(reach thru CoMO-CAL)**

**DONNA HELWIG**  
 Vice President  
**707-836-7248**  
**donnahelwig@sbcglobal.net**

**ROSEMARIE ROSALES**  
 Treasurer  
**818-886-6479**

**MILT BURDICK**  
 Political Reference Committee  
**714-572-0253**  
**milters2000@yahoo.com**

**STEVE MOLSKI**  
 San Diego Representative  
**619-427-1221**  
**molski0@yahoo.com**

**CHRIS CARBONEL**  
 North San Diego County Rep  
**760 693-1808**  
 Cell 310 600-7227  
**chriscarbonel@cox.net**

**DAVID ROEGNER**  
 Ventura County Rep  
**805-524-4024**  
**fraubro@sbcglobal.net**

**CONSULTANTS & CONTRIBUTORS**

**David Grabill (Santa Rosa):**  
**707-528-6839**

**Herman Osorio**  
**916-408-8094**  
**hosorio@hotmail.com**

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

**Rosemary Tomai**  
**Homeowners Coalition of**  
**Mobilehome Parks in Tuolumne**  
**Co.: 209-532-0889**

**Jerry Lenhard (Escondido):**  
**760-745-3734**

**Attorneys—MRL Issues**

**Adrian Andrade (Santa Maria)**  
 805-928-3651

**Kristine Awalt (Sacramento):**  
 916-927-7311

**Will Constantine (Santa Cruz):**  
 (831) 420-1238

**David Grabill (Santa Rosa):**  
 707-528-6839

**Jim Holmes (Ventura):**  
 805-642-2781

**Jeremy Singer (San Diego):**  
 619-543-8190

**Bruce Stanton (San Jose):**  
 408-224-4000

**We Are NOTHING Without You**

It's so true. We are nothing without our members, our family. You are the ACTION in CoMO-CAL. Many of you have been calling, faxing and/or writing letters to the Assembly and the Housing Committee, asking them to OPPOSE AB761. Those of you who are on our e-mail ALERTS know we have been very busy. In fact CoMO-CAL has sent 20 ALERTS, mainly on AB761, over the last 45 days.

Remember, if you have email and are not getting our ALERTS, then you need to send us an email (comocal@yahoo.com) and say you want to be added to our ALERTS network.

We have printed 10,000 all color brochures detailing what CoMO-CAL does, what services we offer mh owners, etc. Please help us distribute them - we will send you a box for your park, no charge. We have already sent out about 4,000!

Why do we send out brochures? Several reasons:

- We want mh owners to know we are there to help them. After all our goals are communication, education, and UNITY.
- We need eyes and ears around the state so we know what's happening in parks.
- We need mh owners to help write letters, make calls and send faxes, i.e. take ACTION.

- Money: membership dues allow us to reach others and do all that we do
- We want mh owners in parks, where we do not have members, to join and help us help them.

**What Can You Do To Help Us?**

- Donations allow us to reach others and get them on board.
- Volunteer to distribute information in your park. Park owners CAN NOT stop you! We have an attorney who will confront a park owner if he does.
- Volunteer: If you have a computer and a phone with free long distance, we need you.
- Volunteer: Be a CoMO-CAL representative in your area.
- Volunteer: Help us with the website. We will show you how.
- Send us names, phone numbers and contact info for ATTORNEYS.
- Send us email address for our Alert Network.

Remember, this is YOUR ORGANIZATION.

Be active, take pride in what we are doing thru you. Thank you for being part of our family.

**JON STANLEY HEIM**

Attorney at Law

1683 Novato Boulevard, Suite 1A  
Novato, CA 94947-3284

Tel: (415) 898-1114 Fax: (415) 898-7118

E-mail: joninslw@[yahoo.com](mailto:joninslw@yahoo.com)

**CRLA Attorneys**

Ilene Jacobs, Lee Pliscou & Molly Stafford  
530-743-5191

**Handyman—San Fernando Valley Only**

Ray Emmons Construction  
818-800-3366

Mike Flores—San Fernando Valley  
Electrician / Journeyman CA Certified #108598  
818-312-1443  
mflores33@socal.rr.com

### Oakridge park residents left on the outside looking in

By Brandon Lowrey, Staff Writer

Updated: 04/20/2009 11:14:47 PM PDT

It's not a fire that's keeping residents from returning to the Oakridge Mobile Home Park, which was virtually destroyed in a firestorm four months ago. It's the red tape.

Residents haven't been able to return home since the Nov. 15 blaze. And since the cleanup began March 4, the city has barred them from even setting foot in the Sylmar park because of safety concerns.

"This has been crazy," said Tim Reiley, 57, who has been staying with a relative in Valencia since the fire. "We waited for four months before they even put a shovel to the ground to start cleaning it up."

The Sayre Fire destroyed about 500 of park's 600 homes, displacing its 1,700 residents and leaving the site strewn with charred wreckage. Even residents whose homes had little or no damage are not being allowed in.

City, state and federal officials spent the 140 days between the fire and the start of the cleanup sorting out a bureaucratic mess that involved finding funds and transferring authority for the park from the state to Los Angeles.

The city expects to finish the cleanup and return the park to its owner in early May, though it may be longer before the few remaining Oakridge residents are allowed to return home.

"The biggest frustration is having someone tell you you can't have access to your property," Reiley said. "It doesn't seem like something they should be able to do in the United States."

Los Angeles volunteered to take over the cleanup, but it took time for state agencies, which oversee mobile home parks, to hand over jurisdiction, said Anna Burton, assistant general manager of the city's emergency management department.

"This did take longer than we had hoped for," she said. "We wholeheartedly agree with that."

As big trucks haul debris in and out of the park, having residents come and go as well could create a safety hazard, Burton said.

She said the city, though it wasn't obligated, took the reins of the cleanup to try to get people back in their homes quickly and prevent the burned park from turning into a blight.

"We're trying very hard to return the park back to the owners," she said. "We're working as fast as we can."

Various government agencies are footing the bill for the park's cleanup. Officials cobbled together \$1.6 million last month - the Federal Emergency Management Administration pitched in \$1.2 million, California paid \$300,000 and Los Angeles covered \$102,000.

City Councilman Richard Alarcon, whose district includes the park, said he feels for the residents who are locked out of their homes. But he added the city's involvement has sped up the process. If not for the city, each resident would be responsible for finding a contractor to clean his or her own lot, and that would have taken longer, he said.

"They really want to get back into those homes, and it'll be a great day when we do this," he said.

But no one is sure when that day will be, including Oakridge park manager Jenny Harmon.

### Help Fight Senior Abuse - Sign a Petition

Merle and Betty Pitman, MHOC (Mobile Home Owners Coalition) are spearheading a petition program. They want to tell our representatives not to support legislation that hurts seniors.

Here is the statement at the top of their petitions:

*Senior mobile home owners have been continually discriminated against by legislation which affects seniors, and could cause possible loss of our homes and financial hardship. There is no other group which has been affected by so much adverse legislation as have senior mobile home owners. We are being forced out of our homes by condo conversions, by having been taken out of rent control ordinances, and by increases in our monthly rental. STOP PROMOTING LEGISLATION WHICH ADVERSELY AFFECTS SENIOR MOBILE HOME RESIDENTS, SUCH AS AB761. CAN YOU HELP US OR DO WE NEED TO*

*TAKE ACTION AT THE POLLS? We, the undersigned, are registered voters in the State of California and need your help!*

Merle and Betty can be reached at (805)646-8438. Or call CoMO-CAL and we will mail you petitions.

Mail address:  
Mobile Home Owners Coalition  
P.O. Box 0610  
Oak View, Ca. 93022  
Attn: Merle Pitman or Petitions

Their goal is to send hardcopies of all petitions to each Assembly Member and Senator.

Let's get behind MHOC and make our voice heard about senior abuse!!

**Thank You**

"I wish I could shake a crystal ball and get another answer than 'ask again later,' but I can't," she said.

Harmon added she hopes to learn more at a community meeting set for today.

The biggest issue for Oakridge residents isn't financial. Most had fire insurance and have received aid from FEMA and a \$100,000 relief fund Alarcon had set up.

Instead, several residents said they're frustrated that they can't get back in to pick up clothes or other belongings and fear their lawns will die after two months of neglect.

Michael Conaway, 61, who has lived there more than two decades, said he's been fighting with officials to get back in to the park, to no avail.

"Sometimes I think I'm wrong, but I've been at this since the beginning," said Conaway, who has been

living at a nearby Holiday Inn Express. "It's my property and my things, and I just want my stuff."

It's unclear when they'll actually be allowed to move back in. Hazardous material and building issues could complicate the matter.

Kathleen Scrace, 66, has put most of her possessions into storage and moved into an apartment in Porter Ranch while she waits to return to Oakridge. Her insurance is covering her stay there, and she's comfortable.

"It's nice," she said. "It's just not home."

Her home, for the past 25 years, has sat atop her lot at Oakridge.

"It's a beautiful place, and I own it," she said.

"I loved it there. It was a beautiful place, and it will be beautiful again."

### NOTHING TO FEAR By Jon Stanley Heim, Attorney at Law

Most mobilehome residents lack the legal and financial resources of the owners and management of their mobilehome parks. Many residents fear that, as a practical matter, they cannot effectively challenge a wrongful act or policy of ownership or management, or that if they try they can suffer retaliation. For better or worse the Mobilehome Residency Law, California Civil Code Sections 798 through 799.11 (“MRL,” to which all following citations refer) does give park owners wide latitude in setting park rules and regulations.

Nonetheless much of the MRL is intended to give residents a voice in park affairs, and to protect them from ownership backlash for meeting or discussing park issues. In Section 798.50 the Legislature declared its intent “to ensure that homeowners and residents of mobilehome parks have the *right to peaceably assemble and freely communicate with one another with respect to mobilehome living or for social or educational purposes.*” To those ends no park lease, rule or regulation may prohibit peaceable assembly at reasonable hours and in reasonable manners. (Sec. 798.51, subd. (a)(1).) “[P]ublic officials, candidates for public office, or representatives of mobilehome owner organizations” may be invited “to meet with homeowners and residents and speak upon matters of public interest, in accordance with Section 798.50.” (Sec. 798.51, subd. (a)(2).)

Homeowners and residents have the rights to canvass and petition the park community “for noncommercial purposes related to mobilehome living” or public elections. (Sec. 798.51, subd. (a)(3).) Homeowners and residents may use the park’s clubhouses or recreational halls for these meetings, without additional cleaning or insurance charges if the meetings are hosted by a homeowner or resident, all are invited to attend and no alcohol is served. (Sec. 798.51, subs. (b), (c).)

If any of these rights are denied or unreasonably impaired by “any rule, regulation, or other policy” of park ownership or management, any aggrieved homeowner or resident may sue. (Sec. 798.52.)

Many homeowners and residents may be unaware that they have the right to meet not only among themselves, but with park management too on many significant subjects, within thirty days after written request. The meetings may be individual or collective. The subjects include proffered rental agreements, existing park rules, standards for maintenance of physical improvements, and addition, alteration or deletion of improvements, services or equipment. (Sec. 798.53.) The MRL does not require that park ownership accompany park management to such meetings, but it does mandate that ownership’s identity and address be disclosed upon request of a homeowner or lessee (not any other park occupants). (Sec. 798.28.)

Moreover whenever management proposes amendments to park rules and regulations, management must “meet and confer with the homeowners in the park, their representatives, or both,” on at least ten days notice. (Sec. 798.25, subd. (a).) In general, however, as long as management does meet and confer it need not accept the views or requests of homeowners. Rather “the noticed amendment to the park’s rules and regulations may be implemented, as to any homeowner, with the consent of the homeowner, or without the homeowner’s consent upon written notice of not less than six months.” (Sec. 798.25, subd. (b).) Thus if a homeowner does not accept an amendment, he or she will be bound by it anyway after a while. That’s the provision that gives management such broad discretion in ultimately determining the content of rules and regulations. Homeowners get only a voice, not a choice.

Any rule or regulation imposed without following this meeting and conference process is void and

**Success Story** by Frank Wodley, CoMO-CAL President

It does work! The following actually happened here in Chatsworth.

Guillermo called me about harassment and intimidation by his park manager: anything from painting his home, the lack of a trim color, a BBQ too close to the fence, a fence in front of the utilities, his puppy, etc. It goes on and on! But Guillermo really loves his new puppy. He didn't understand the size limit on pets, but knew others in the park had larger pets, so why was he singled out?

In desperation, Guillermo joined CoMO-CAL and asked if we could do something to help him. We suggested attorney Jon Heim. I worked with Guillermo and Mr. Heim wrote a letter to the park owner. I am happy to say that the park is allowing Guillermo to keep his puppy.

Guillermo joined CoMO-CAL on May 8th. His issue was resolved on May 26th, less than three weeks later.

His response: "Thank you very much for all your help on this issue. I'm extremely happy. Thank you Mr. Heim and Frank for helping the little guy."

Unfortunately, CoMO-CAL is not 911. We usually can't jump and resolve your problem, but we do work to help you help yourself. Bob Hites is out in parks almost every day at his own expense. Bob is a real asset, both to CoMO-CAL and mh owners!

Guillermo's story is happening more and more. Join the legal fund today. It could happen to you. Only \$15/year for peace of mind.

unenforceable. (Sec. 798.25.5.) So is any rule or regulation "that creates a new fee payable by the homeowner and that has not been expressly agreed upon in a written rental agreement or lease." (Sec. 798.25, subd. (e).)

As counsel to both park owners and homeowners, I have often observed how limitations on the latter's legal or financial resources affect the process and resolution of disputes between the two. Those limitations are real and raise fear in homeowners. The foregoing and other provisions of the MRL are intended to bring the balance of powers a bit more square.

However they'll work only if homeowners and residents know and use them. For example, one homeowner may not be able to afford substantial legal counsel, let alone litigation, no matter how worthy his or her cause may be. But that same one homeowner may canvass, petition and meet with others, and may invite public officials and representatives of CoMO-CAL or other homeowner organizations to those meetings. There

they can discuss common interests and issues, and plan lawful, reasonable courses of action. There too they can join together in organizations like CoMO-CAL, and by so doing marshal the resources necessary to pursue their common rights and important causes. Indeed CoMO-CAL and I recently established a member referral program, which offers CoMO-CAL members only access to basic legal advice and correspondence on mobilehome issues. CoMO-CAL will give you the details upon request.

In this light homeowners have little to fear. But they have much to do and much to organize. **The rights given to homeowners under the MRL will have no effect if they are not understood and invoked by those whom they are designed to protect and serve.**

**JON STANLEY HEIM**

Attorney at Law

1683 Novato Boulevard, Suite 1A

Novato, CA 94947-3284

Tel: (415) 898-1114 Fax: (415) 898-7118

E-mail: joninlsw@[yahoo.com](mailto:joninlsw@yahoo.com)

**AB761—The Fight Continues** by Jake Henshaw, Gannet Sacramento June 9 2009

<http://www.visaliatimesdelta.com/article/20090609/NEWS01/906090320/1002/Bill+moves+forward+that+may+raise+mobile-home+rent>

A revised bill that could increase the rent of some new mobile-home owners got a second stamp of approval Monday from an Assembly panel.

The Assembly Housing and Community Development Committee passed a measure that would let park owners phase in rent increases when mobile [homes](#) are sold in communities with rent-control ordinances that otherwise would ban such increases.

The committee had approved the bill in May, but the amended version delays its start-up date by one year to 2011 and stretches out the phase-in period from five years to seven.

The measure, Assembly Bill 761, calls for an appraisal to identify the market level of rents before they are raised under the bill.

A park owner would be able to set the initial new rate only at the lesser of this rate or the phase-in schedule, which calls for increases to begin at 14.285 percent over the previous rent charged and rise annually to reach a maximum of twice the last rent charged in 2017.

The bill wouldn't affect the rents of existing [mobile](#) home owners, nor would it prohibit or revise local rent control ordinances except to allow for rent increases when homes are sold.

Assemblyman Charles Calderon, D-Whittier, the bill's author, argued that his measure is intended to correct what he said is an imbalance that favors mobile homeowners over park owners in how increased value is apportioned among the two groups when homes are sold under rent control.

"There's equity on both sides" with his bill, he said.

While he argued that the amendments should make the bill more palatable to mobile homeowners, one [Visalia](#) resident disagreed.

"We are very disappointed," said James Burr, representing Visalia mobile homeowners and the state treasurer of the Golden State Manufactured-Home Owners League. "Those [amendments] were absolutely nothing to us. They only prolong the agony." He also argued that this isn't a state issue.

"We plead with you to leave this at the local level," Burr told the committee.

There are 700,000 Californians living in 4,822 mobile home parks in [California](#), with the majority owning their homes but renting space for them, according to the legislative analysis of the bill.

About 100 California jurisdictions have some sort of rent control on mobile home parks, but it wasn't clear how many renters might be affected by the bill.

AB 761 next goes to the full Assembly.

Editor's Note: Those of you with email know how hard we have been working to keep you informed about the happenings in Sacramento. We have published THE VOICE monthly during this difficult period and have sent out almost 20 ALERTS by email. The fight continues on June 18th.

Bills like AB761 should be a wake-up call to mh owners across the state to ORGANIZE. The park owners have a strong lobby, but we have the numbers!

Mobilehome owners can not afford to stay on the side-lines anymore.

[Organization, Unity, Education, Communication](#)

**Make Rising Rents a Thing of the Past by David Loop, Attorney at Law**

Are you concerned about rising rents in mobile-home parks? You should be, if you live in a “space-rent” park in California.

If you live in a city or county that doesn't have rent control, at any time your park owner can raise your rent to “whatever the market will bear.” Many residents learn this lesson when the park they live in is sold, and the new investor-owner starts aggressively raising rents. The park is an investment property. The new owner raises rents to (1) increase his revenue and (2) increase the resale value of the park. And when rents go up, two things happen to you: (1) your monthly expenses go up and (2) the value of your home goes down.

If you live in a city or county that has rent control, things are better. Your monthly rent increases are limited by local law. Your home's value is protected, more or less. So, can you relax? The answer is NO.

Rent control is under constant attack by park owners, locally and statewide, in all possible ways:

**By voter referendum** (remember Proposition 98 from last year?).

**In the legislature** (currently, it's AB 761-Calderon).

**In the courts** (Google “MHC vs San Rafael” and see what pops up).

If you aren't aware or concerned about all of this, you should be. If rent control disappears, you and your neighbors will lose big-time. But what can you do?

There are various things you can do to protect yourselves. To learn about what you can do, read the CoMO-CAL VOICE, and e-mail ALERTS from CoMO-CAL.

Whether you live in an area with rent control or without it, there is something else you can do to protect yourself from rising rents and loss of home equity. That is: organize your neighbors and (when you have the opportunity) buy the park where you live.

There is an important difference between investor-owned parks and resident-owned parks. Investors will always want rents to go up. Residents groups that own their parks want to keep rents as low as possible.

Two steps you should take, right now:

**(1) Organize.** If you don't have a homeowners association yet, start one. You don't need to organize the whole resident group right away. You only need three concerned neighbors to start a HOA. You don't need to incorporate your HOA to be effective or "legal." All you need is three people who care about their futures, and their neighbors'.

**(2) Protect Yourself.** Send a letter to your park owner, asking that the HOA be given notice if the owner decides to sell the park. Your group has a right to this notice by law, if you take certain steps (see MRL 798.80). If you don't communicate with the park owner, you'll likely find someday the park has been "sold out from under you." It happens all the time. Don't let it happen to you and your neighbors. Contact me, I'll send you a sample of the letter you should give to your park owner.

If your resident group achieves ownership of the park where you live, loss of rent control or dramatically rising rents are things you'll never worry about again. You must be prepared, in case the park comes up for sale.

David Loop  
Attorney-at-Law  
831-688-1293

[deloop1@sbcglobal.net](mailto:deloop1@sbcglobal.net)

### LISTEN UP OR ARE YOU JUST COWARDS???

Well, that's starting off on a negative note. It is very sad when an Advocate is asked to come into a mobile home community and see and hear the fear in people. It is sad to see American citizens fumble, rumble and tumble around their communities. They have no direction. Even when you offer direction they are like, who me, you talking to me? As a matter of fact I am talking or writing to any and everyone who wants to take a stand and get involved.

Lately I have been involved in two mobile home parks here in Northern California. One of the communities was completely closed down and leveled because residents were not listening to those that tried very hard to help them. They were more interested in smoking, doping, drinking and pursuing other activities. Never mind having a place to live, we can always live under some bridge or in some field.

The other community in Yuba City was different. Most of them did not speak English. None of them had a copy of the Mobile Home Residency Law. Further, they had no knowledge of any rights or even correct paperwork for the ownership of their homes. The management had been there for many years, but had not done what they were supposed to do. The park owner who lived in another part of the state seldom came around or even involved himself in the activities of the community. People were living without lights on the streets in the park. People were living with water from an on site well that was probably not safe. The streets were so bad that the pot holes were bigger than most cars and trucks. Further, the streets flooded when it rained. There were people living in the community that had no business being there. This is a family community with over 30 children, some of which are handicapped. Outsiders were allowed to come into the community at night and park whenever and wherever they wanted. There was no control of the

community. Drug deals and assorted criminal activity was rampant.

The State was called in and the owner's operational permit was pulled. This is the second time. State inspectors were everywhere as it had been several years since the community was inspected. WHY?? Simple, no one took the imitative to stand up and speak up and get involved. To see people living like this in this country is a disgrace. I was told flat out that they are scared to say anything. The management took away our Thanksgiving turkeys our Christmas hams and other benefits, like our clubhouse and our pool. When the people complained their gas bills were increased to some amount far beyond what they used. The meters were read by someone who had no ability. There was no records of who belong to whom and to where. There was no organization of any kind. WHY?? The manager had become ill. The manager simply informed the park owner what she wanted him to know and the park owner took the word of a person who had lost control.

So in steps the Advocate and gives the people the information both in English and in Spanish. I tried very hard for the better part of three weeks dealing everyday with these folks and giving them information. NOTHING. Not one person would sign up for our membership. We can get by. RIGHT. Then why did you call me?

What are you afraid of? There are more of you than there is of the manager and the park owner. There is strength in numbers (SIN). You have to get involved and stand up for your rights and fight for what you believe in. It is the only way you are going to be able to live in a mobile home community. To stand or sit idly by and take the mental stress and live in conditions unfit for human or animal is far beyond my understanding of the laws... If you are going to live in fear then so be it. If you are going to be COWARDS, then please by all means. Don't call me. As I am and

**CoMO-CAL Publications**

Did you know CoMO-CAL has collected a library of publications—we have published over 60 newsletters in our brief life. Here are just a few of the timeless articles. Call us for copies:

**Dave Loop, Aptos Attorney:**

- Is Owning Your Park a Good Option for Residents?
- Investor, ROC, or NHC: Which owns your Park? Why should you care/
- The Sub Prime Mortgage Crisis—A Boon for Mobilehome Owners
- Getting Organized for a Resident Park Purchase
- Due Diligence and the Financing of Resident Park Purchases
- Resident Purchase Versus Condo Conversion
- Park Purchases by Residents – “Getting On The Park Owner’s Radar”

**Bruce Stanton, Attorney, articles:**

- Parks Responsibility in Resident Disputes
- Removal of Mobilehomes by Park
- Enforce Your Rights...It’s Up to You

**Jon Heim, Novato Attorney:**

- Who Takes Care of Trees
- When can Park Management Enter My Space
- Others.....

**Bob Hites, CoMO-CAL Vice President:**

- Listen Up
- Be Active, Be Part of the Solution, Not part of the Problem
- I am Speaking About You
- Why?
- Happy New Year Everyone
- We are the People
- Working for You
- A Double Dose of Listen Up
- Join an Advocacy Group
- Great People
- Working in the Trenches
- Calling All Veterans
- My Experience with GSMOL

**Clay Harrison: Sellers Guide**

**CoMO-CAL:**

- You don’t have to move your older home
- Community Organizing Manual Produced by **All Parks Alliance for Change**

**Senate Select Committee Publications:**

- Numerous articles, data, etc.

never will be afraid to fight for my rights. If I am wrong you can beat me. You all need to take a stand and fight. It is that simple. Further, the mobile home community now has new management and things will improve. But the people need to

get involve and join an advocacy group in order to survive. I can be reached for comment at [anvil95993@yahoo.com](mailto:anvil95993@yahoo.com) or my telephone number is 530-743-2965. Until next time America, I remain. Bob Hites, CoMO-CAL Vice President.

**LISTEN UP: TELEPHONE CALLS – SITUATIONS – AND ME by Bob Hites**

As leaders of our advocate groups we all receive and make telephone calls. That is a given in this world of volunteering our time and our resources to assist those mobilehome owners that are in need of advice. So what is the situation?

It starts when the telephone rings at my house and since I am vision impaired I have a large, giant screen television that displays the name and telephone number of the caller and I have the equipment tied into my home computer that gives me additional date, time of the call as well and I can either keep the information or delete it. Simple. So, when the caller calls I normally answer as I hide from no one.

Sometimes the caller identifies him or herself and starts telling me their situations. I listen intently for an opening as some of these folks want to vent and I am a considerate person to a degree. So as the conversation progresses I get my chance to insert a question like, do you have e-mail? Yes, I do is the answer. May I have it or I will give you mine and you can e-mail me your contact information and I will e-mail you back confirming that I received your e-mail. If you do not have e-mail I will give you my mailing address and you can send me in writing what you want me to resolve for you.

I also ask if they are member and the caller says no I am not a member or yes I am a member if they say yes I by this time setting behind my computer that has a complete membership list readily handy to come up with the name and even the park they live in. In finding that they are not a member I do not want to discourage them by calling them a liar. So, I press forward with the situation. I inform them that I will send them the latest copy of the VOICE which I normally have on computer and can easily e-mailed in seconds to them. Those that have e-mail say I will e-mail you giving you all the information.

Now mind you I spend sometimes fifteen to thirty minutes of my time talking to a person that I have never met and they have never met me but want me to resolve and solve their situations with their management, their next door neighbor, the mail service or one even requested plumbing assistance. I didn't want to go there. I receive all sorts of requests for

assistance, some of which are easily addressed through the Mobilehome Residency Laws, which most people when you ask them if they have a copy of the MRL, have no clue. Sad but true. Most say, oh yes, that is the small print pamphlet that I received back in February that I could not read as the print was too small. Yes, that is the one. Have you read that? Huh, huh, I am I supposed to? It would be a good start if you were familiar with the contents of that publication. Since you have e-mail you can go on line and obtain a larger print size copy. Oh really they reply. Of course.

As we continue our conversation the topics come around to being afraid of being evicted because the management is screaming at them, and the management is acting unfair to them but the same problem that the other residents have are treated differently. That is against the Mobilehome Residency Laws. I am afraid they say to do anything. Well you e-mail me the situation and give me the address of the park management and park manager's name and I will see what I can do. Ok, I will e-mail you as soon as I hang up.

Well apparently they are still holding the telephone as I have not received any e-mail or any contact information or any verbiage of the situation. However, when I call back, they also have caller identification and they do not return calls, and they also answer and say oh the problem has been taken care of. By whom and how I ask. Oh the manager is going to over look it this time. Folks the manager is not going to overlook anything that they can write up to make you look stupid or foolish and they are going to continue the harassment until they have enough documentation on you that a court would agree with them that you have violated their park rules and you will have to leave your home. Sound like a ridiculous story but it happens all the time. So, what must you do.

That is where the Coalition of Mobilehome Owners comes into play. There are more of you folks than there is of them folks (Managers? Owners). GET INVOLVED. I will repeat that request – PLEASE GET INVOLVED. It is very simple, let's use the following scenario for an analogy. If someone one

**Yucaipa council overturns Grandview decision** by Noelle Kiely, staff reporter News Mirror

The Yucaipa City Council denied the Mobile Home Rent Review Commission’s decision to award the park owners of Grandview West a permanent maintenance of net operating income adjustment of \$60.62 per space, per month in addition to a temporary rent increase of \$10.03 per space, per month for the next five years. The hearing for the appeal was held on May 27 and overturned the commission’s April 1 decision. Commissioner Caroline Cape was the “no” vote in the three-to-one submittal.

Grandview West is currently under rent control and a senior complex with 51 units. Yucaipa Mobile Home Residents’ Association President Len Tyler warned residents, “Grandview West is not the first park to seek an outrageous raise and they won’t be the last. Your park could be next.” Residents from numerous parks turned out in support, heeding Tyler’s warning.

The purpose of the hearing, held following the council meeting, was to “review the commission’s decisions and evidence from the commission hearing. There will be no new evidence heard,” Mayor Dick Riddell said as the nearly four- hour session began.

After attorneys from both sides gave testimony along with pleas from residents, the council offered “an incredible lack of documentation of expenses,” from the park owner as the primary reason for rejecting the increase.

Riddell began, “The park owners have two other parks and the receipts for the expenses they are claiming are unclear, unprofessional and there is seemingly a comingling of expenses between the three parks.”

Councilwoman Diane Smith reported that many of the park’s seniors are ill and are “minimal impact resi-

dents,” and they “aren’t out leaving beer cans by the pool on Saturday night, they don’t street race, they don’t leave graffiti,” so the dramatic rent increase for maintenance is “questionable.” Smith also suggested that a family member of the park owner is currently unemployed and “the family is providing him with a living wage, which may explain why the management expenses have increased so dramatically.”

Councilwoman Denise Hoyt said she was “in concurrence with the mayor and Smith” and that the “bookkeeping is unclear, lacking in professionalism.”

Mayor Pro-tem Allen Drusys also agreed stating, “The application itself and the proceedings have no credibility relative to what’s actually happening in that park,” and the “residents should not be penalized for an unjustified rent increase.”

Councilman Tom Masner was the only one on council with the desire to uphold the commission’s initial decision. Aggravated and sarcastic Masner said, “Obviously in our city there is nobody that is as smart as the people on this dais. Not even the people that the members of this council appointed to hear this case. We don’t trust anyone to make decisions in this city. We must do it all.”

Tyler said he was “okay” with the decision. “Council did their homework, but it shouldn’t have even got this far without a completed application and missing documentation.”

Council ended the hearing with a four-to-one vote, with Masner offering a “no” submittal to overturn the rent review commission’s decision to grant Grandview’s Park owners with a rent increase.

was beating on your loved one, if someone one was being mean to your pet, what would you do?. Just stand there and do nothing? I don’t think so, you would take a stand, you would ask them to stop, you would call for assistance. WELL. Same principal.

You need to call and you need to follow-up with your calls and you need to join our CoMO-CAL family, and

you need to get involved with your lifestyle. It is your money, honey, it is your life that these folks are trying to control and take, and take and take, until you have nothing to give but your life. As for me, I will do my best to help any mobilehome owner. I will stand beside you, behind you, and in front of you. Until next time mobilehome owners. Bob Hites, CoMO-CAL VP

### “I GARONTEE It” by Frank Wodley, CoMO-CAL President

I remember Justin Wilson’s cooking show on TV. And I remember his signature saying “I GARONTEE.” That quote has just stuck with me.

Justin Wilson spent his life enjoying people and spreading the Cajun culture to others around the world. He loved to cook and he loved good food. He said it relaxed him to stir in a pot and drink a little wine, either alone or with friends. I GARONTEE !!!!!!!

Of course Justin Wilson has nothing to do with mobilehome issues. But as sure as I’m sitting here, I GUARANTEE:

- Unless mobilehome owners acknowledge the threats to their lifestyle and investment, and organize behind a state-wide group, there is absolutely no hope. I GUARANTEE IT! The threats are real. We see them many times each day.
- Let’s take AB761. Of course this is only the latest threat. There have been at least four others like it in the last 12 years—prop 199, prop 90, prop 98 and AB1309. In fact we have written about each and every one, except 199 (CoMO-CAL wasn’t around then).
- Unless we organize, I GUARANTEE the park owners will eventually prevail and we will lose tens of thousands of dollars in home equity. They vowed it was just a beginning with the defeat of Proposition 98, June 2008. And now just a year later we have AB761.

#### Our Mind-Set

We must change our mindset. I’m sure most have no idea what’s happening in Sacramento. I read one email: “How can they have a bill like AB761? Don’t we have to vote on it?”

In fact the answer is NO. Our Legislature can make and change laws at will. But we can effect

policy through lobbying, demonstrating, and communicating with our representatives.

#### Our Philosophy

Someone the other day asked if our philosophy had changed because of all our efforts on legislation recently. NO, our philosophy hasn’t changed. We are still about NETWORKING, Communication, Education and Unity. We believe we need ENFORCEMENT, not more useless laws.

#### Remember Washington State

Washington State’s Dispute Resolution Program has been helping mh owners there now for almost three years. The Cost? Just \$10/year/space. Can you believe that? Enforcement of the laws for \$10/year!!

Well California needs to get with it. Some are saying it won’t work because we have no money. Checking with the folks in Washington, it is completely self funded. They have hired one attorney and five support people. It Does Work.

#### Remember Bruce Stanton’s Article

*‘But once the law is passed, who enforces it? If a park owner violates a law, who typically is responsible for seeing to it that justice is done? And who needs to be watching carefully to see that laws are not violated? The answer to each of these questions is the same: It’s YOU! The plain truth is that laws do not enforce themselves. B u t once the law is passed, who enforces it? If a park owner violates a law, who typically is responsible for seeing to it that justice is done? And who needs to be watching carefully to see that laws are not violated? The answer to each of these questions is the same: It’s YOU! The plain truth is that laws do not enforce themselves.’*

**CoMO-CAL This and That**

- |   |  |
|---|--|
| <p>1. Have you received a box from CoMO-CAL? So how much does a box, let's say of brochures, cost us to print and mail? Approximately \$50. So please consider a donation to help cover those costs. Thanks.</p> <p>2. Membership Renewals: Renew early and save us the time and cost of mailing a renewal notice.</p> <p>3. Do not fill out another application when renewing—we might think you are a new member. Your renewal date is on your mailing label.</p> | <p>4. Thank you, thank you to all our new members - welcome to our family. If you are not getting our email ALERTS, send us an email asking us to add you to our growing list. We now have 1,700 on our ALERTS NETWORK!</p> <p>5. Membership Cards: Every member has a unique membership number. Soon we will begin issuing membership cards. Be patient.</p> <p>6. Call to distribute our new brochures in your park. Help us help you.</p> <p style="text-align: right;">Next THE VOICE—August/September</p> |
|---|--|

**CoMO-CAL**

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

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

**NEW MEMBERSHIP APPLICATION (Print Please)**

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

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

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

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

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

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

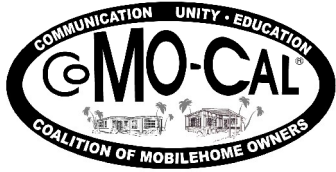
Check # \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Money Order ( ) Amount: \$ \_\_\_\_\_

MEMBERSHIP (\$20/12 Months, \$38/24 Mo. or \$54/36 Months) 90 day full refund guarantee if not satisfied

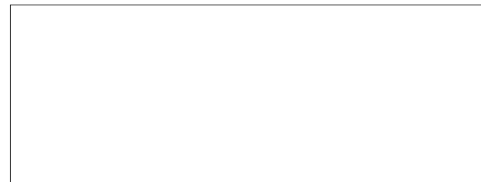
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CoMO-CAL is a non-profit California Corporation dedicated to serving mh owners in California. Our purpose is to educate, communicate and unite. We are **MAKING A DIFFERENCE!**

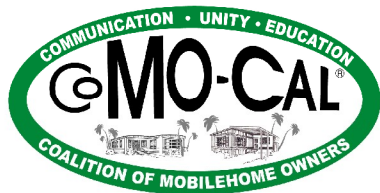


#### NEWSLETTER EDITOR

FRANK A. WODLEY  
E-Mail: [fawodley@yahoo.com](mailto:fawodley@yahoo.com)

<http://comocal.org>

800-929-6061 / 818-886-6479



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

#### SERVICES WE PROVIDE OUR MEMBERS

1. 6 issues (or more) of THE VOICE. Usually 16-20 pages long, filled with important information no mh 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 now have LEGAL ASSISTANCE plus several attorneys to help with litigation or give advice.
6. Above all, a way to UNITE and have a VOICE.

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