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THE VOICE

COALITION OF MOBILEHOME OWNERS

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Mobile Home Owners Coalition and CoMO-CAL Join Forces

CoMO-CAL has aligned with another state-wide group - MOHOC (Mobile Home Owners Coalition). Merle and Betty Pitman run MOHOC from their mobilehome in Ojai, California. MOHOC collects membership dues (\$10/year) in January and their services include a one hour visit with a local attorney, small claims court assistance, work with local governments maintaining rent control, etc.

CoMO-CAL welcomes this "partnership." We trust MOHOC and we are excited about future efforts. Today MOHOC does not publish a newsletter, and we hope they will take advantage of THE VOICE for all their membership.

Our first joint effort is a series of workshops to brainstorm solutions to problems such as "out of control" managers, interference of sales, failure to maintain, unfair business practices, closed club-houses, issues with utility bills, etc.

In fact we hosted our first joint workshop in Sandpiper Mobile Home Park, Carpinteria on September 12th. Participants included mobilehome owners from Visalia, Escondido, Los Angeles, Ojai, Oxnard, Ventura, Carpinteria, and other areas. We feel the workshop was quite productive.

It focused on solutions to problems, rather than problems. We understand that we all have stories about management, rent increases, or whatever. But our success lies in finding and implementing solutions to problems. We are proud to have hosted this workshop - the first of it's kind.

This from our partners Betty and Merle Pitman:

"We would like to thank Frank Wodley of CoMO-CAL and members of MOHOC for the joint effort

in putting together this most successful work shop for mobile home residents. We thank the Sandpiper MHP for the beautiful club house and Kathy Mattes and Jim Finch for all their hard work. Helping Mobile home residents is what MOHOC and CoMO-CAL are all about."

You can contact MOHOC at Merle Pitman, 180 Don Antonio Way, Ojai, Ca. 93023.

Now we ask you to do your part. Invite us to come to your park and host a workshop. It will bring folks together and give them hope. It will demonstrate that by working together, we can solve some of our issues. I just ran across a quote from Sandra Day O'Connor: "I can tell you what I believe is the secret to a happy life," she said. "Work worth doing," she answered firmly. So get on board and help us out.

Remember, CoMO-CAL is NOT an end, CoMO-CAL is a means to an end. We keep asking for your participation, we keep putting out suggestions, we keep hoping that you will get involved. So now you have another opportunity to help yourself and help others.

The next brainstorming workshop will be held at Contempo Marin (San Rafael 20 miles north of San Francisco) on Sunday October 18, from 12 noon until 4pm. Lunch (cold cuts/make your own sandwich) will be provided. We ask for a \$10 deposit to guarantee attendance so that lunch planning can be done. Make reservations by calling Dick Heine at 415-479-6343 or emailing president@contempomarin.org

This meeting is to be a brainstorming workshop - there will be no recruiting for organizations - no lengthy speeches, etc. It is your time to brain-

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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 (Aptos):
 831-688-1293

Deane Sargent (Hillsborough):
 650-375-8043 DVD on purchasing your park—on request

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

Mold Attorneys

Miller Law, Inc. (Sacramento)
 916-351-1200
 Handyman—San Fernando Valley
 Ray Emmons Construction
 818-800-3366

Failure to Maintain Attorneys

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

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Project 2010 CALENDAR - “WE ARE AMERICANS”

CoMO-CAL’s big project for year end is a 2010 Calendar—”WE ARE AMERICANS,” which will feature mobilehome park residents from across the state of California. Calendars are 8.5” x 11” and all color. They contain important information - state and local agencies, tips on the laws, important dates, etc.

We want to make a statement. Although we live on rented property, WE ARE AMERICANS, AND WE HAVE RIGHTS

Calendars include a \$5 off coupon to be used to join CoMO-CAL (new member only).

Calendars cost \$5. We are doing a promotion for all our members, HOA’s and Chapters. Purchase a box of calendars (30) and pay half-price, i.e. purchase 30 @ \$2.50 = \$75 and sell them for \$5 each (30 @ \$5 = \$150) - we both win. You make (\$150-\$75 = \$75) \$75 per box sold. Order as many boxes as you want. Everyone can use a 2010 calendar - and they support CoMO-CAL and our membership.

We expect the calendars will be ready November 1, 2009. Please preorder and help this project become a success. Remember, you make \$2.50 for each calendar you sell at full price.

A Kiss from Frank - Keep It Simple Stupid

Does one resident have a voice? Perhaps, but not very loud. But what if 10, 20, 50, or even 100 united, and started working together. That is what we mean when we write there is **Power in Numbers**. When we stick together, working for a common cause, we CAN MAKE A DIFFERENCE.

Now what about education and communication? There is POWER IN KNOWLEDGE. But only if that knowledge is shared. That’s what our new brainstorming workshops are about. Sharing knowledge. Networking folks.

I believe we must start focusing on solutions, rather than issues. We need to get away from all our stories, and focus on how problems can be solved.

Solutions are out there. They do exist. But we have to start thinking outside the box. For example, let’s say you have an “out of control” man-

ager. What can you do? Think about it—our suggestions will be published in the November/December VOICE.

So What Should You Do?

Be informed. Know what’s happening in your park, and others around the state. Don’t expect the “other guy” to do it for you. There are no simple fixes. Know about the WMA, MRL, GSMOL, MHOC, Title 25, AB566, etc.

There is no “free lunch.” Of course protecting yourself will cost something. Get involved. And don’t expect help unless you are willing to help yourself.

The flip side - hide in your home, be afraid of your park owner and management, don’t trust CoMO-CAL, believe everything management tells you.

IT’S YOUR CHOICE

The Mobile Home Owners Association of America National Convention

The MHOAA National Convention was held at the Best Western Executive Inn at 200 Taylor Avenue North, Seattle, Washington on September 11th and 12th.

ACKNOWLEDGEMENTS

I would like to take this opportunity to thank the MHOAA organization for providing me a scholarship including air fare, room accommodations and meals, to attend their national convention. EXCELLENT. HEARTFELT THANKS.

WHAT I LEARNED

The problems that exist in our mobile home communities are the same in other mobile home communities in other states. Just different state laws.

WHAT I CAN CONTRIBUTE

Leadership, enthusiasm, commitment and unity for support of our organizations.

OBSERVATIONS

Approximately 135 people were in attendance. There were guest speakers and individual trainers for various seminars. Handouts were provided. Slide show presentations were exact and informative. Round table discussions were provided and audience participation was requested giving others the opportunity to share their experiences both in success and defeats were stated. The compassion and concerns for mobile home owners was intense and enthusiasm was very high and emotional. These were dedicated, self start-

ing individuals with outstanding leadership qualities.

RECOMMENDATIONS

I attended the MHOAA Board meeting. Although I was invited I was only a observer and was somewhat displeased by the lack organization in their attempt to rush through the various project of discussion. If you are going to have a board that board must show direct compassion and leadership, trust, and not argue amongst themselves. Those issues should be dealt with in a private forum.

MHOAA should provide and use an e-mail network all over the country at all levels of management keeping leaders, members informed on a monthly, weekly and daily basis is important to all homeowners.

No one likes to be kept in the dark and especially when there is so much happening at all levels of government. Remember what you don't know can hurt you emotionally and financially.

Be aware and prepared for caring and sharing of information to others is a critical form of advancing our cause and to help stimulate growth and increase awareness.

Finally, introductions of each and every participate should be given and time allocated even if it means adding another day to the convention and agenda.

ROBERT C. HITES

Have you read “**Mobile Home Wars**” by Donald DeVore? I have. It is a terrific book, about the history of mobilehomes, their “trailer park” connotation, advocacy groups, laws, and much more.

Donald DeVore has given CoMO-CAL permission to sell it - \$10 by email, \$15 hard copy (like THE VOICE). Please take advantage of this resource. I believe you will find it enlightening and interesting.

Park Owner's Group Western Manufactured Communities Association (WMA)

Editor's Note: The following was taken directly from the Western Manufactured Communities Association website (www.wma.org). We have bolded and underlined the important passages.

Isn't it about time we started holding the WMA to their own code of ethics? I think so. Are you "on board?"

The residents of mobilehome/manufactured housing communities, as homeowners, can **expect recognition of their rights to privacy, respect, courtesy and dignity. The responsibility of management is to serve the needs of the community,** and to provide safe and well-maintained common areas and community services. **Mutual respect and concern** are the governing principles of management-resident relations.

In order to provide for responsible relationships between resident and resident, and between residents and management, and to protect the investment of residents and management, **reasonable rules and regulations shall be established** in writing and be available to all residents.

Management pledges to enforce rules and regulations in an equitable and forthright manner.

Communications are essential to all interpersonal relations and to the successful operation of all businesses. **Management pledges to be available to residents, to be receptive to their constructive suggestions and to provide factual information.**

Contentment, security and peace of mind are the desires of residents and the goals of management. To this end, **management pledges that residents shall be free of worry of arbitrary or unlawful termination of tenancy.** Management further pledges to operate the community in a manner consistent with established business practices and procedures which assure long-term economic stability for residents and investors.

Management recognizes its business responsibilities to the community, state and the Western Manufactured Housing Communities Association, and pledges full support of those laws and activities which encourage the growth of manufactured housing community living and the Association.

A BIG THANKS to Connie and Gail Prophet

Connie and Gail Prophet are one of a kind. For years they have been active in the Yucaipa area helping mobilehome owners. I remember Gail saying something like this: "I wasn't ever that smart, but I surrounded myself with smart people." Since we connected two years ago, they have sent

CoMO-CAL a monthly check and offered to pay for one membership in CoMO-CAL every month for their neighbors and friends. Connie and Gail are now moving to the Visalia area and resident living. We will surely miss you. Thank you so much for all your support!! **Best Wishes!!**

**San Fernando Valley mobile home park residents
prevail in lawsuit against owners**

<http://www.latimes.com/news/local/la-me-mobile27-2009jul27,0,2043044.story>

Five residents who alleged they were living under dangerous conditions, including an inadequate electrical system, are awarded a total of \$350,000 in back rent.

By Dan Weikel

7:08 PM PDT, July 26, 2009

A judge has ruled in favor of five mobile home park residents near Canoga Park who alleged that the park owner failed to make repairs and allowed dangerous conditions to persist for years, including a faulty electrical system that had been cited more than 100 times by state inspectors.

Based on an eight-day trial held in April, Judge Gregory C. O'Brien sided last week with Gary and Deborah Gibson and three other tenants of Mountain View Mobile Estates, which contains 156 homes tucked into a hillside with a panoramic view of the west San Fernando Valley.

They sued Mountain View's owner, G.J. Park Associates, and its management firm, M.A. Cirillo & Associates, which does business as Star Mobile Home Park Management.

G.J. Park and Cirillo said the park was well-run and that they had spent millions of dollars to make repairs in a reasonable amount of time. But O'Brien disagreed, spelling out his decision in a scathing 31-page opinion scheduled to be filed today in Los Angeles County Superior Court.

The landlord collected the tenants' rent, O'Brien wrote, "for which the tenants received in return endless insults to their sensibilities: Years of noise, mud, dangerous conditions, a studied neglect of simple services, a clubhouse with no

furniture, a badly maintained pool and spa, and inexcusably rude, petty and bullying behavior."

O'Brien is a retired Superior Court judge who works for ADR Services Inc., a private arbitration and mediation service in Los Angeles that both sides hired to hear the case.

He awarded the group \$350,000 in back rent for four years, or about \$90,000 per household, and decided that G.J. Park and Cirillo should pay punitive damages as well as the plaintiffs' attorney fees and court costs.

"Maybe this will give residents of other mobile home parks with landlords like ours a glimmer of hope for some kind of fair play, especially the elderly," said Gary Gibson, 62, a 10-year resident of Mountain View who spearheaded the lawsuit.

Attorney Dale B. Goldfarb, who represents the park owner and management company, could not be reached for comment Friday.

The lawsuit, filed in March 2007, contended that G.J. Park and Cirillo poorly maintained Mountain View for years and failed to make repairs related to more than 250 notices of code violations issued by state regulators since 1999. Those included the inadequate electrical system -- a key safety issue because of the potential for fire and electric shocks.

Steven H. Haney, the tenants' lawyer, alleged that park operators were negligent, engaged in unfair business practices, failed to keep the park in good working order and deliberately committed continuous violations of the state Mobilehome Residency Law, which requires park owners and residents to maintain a clean and safe environment.

AB566 Gives Residents a Voice - Tell Arnold to Sign It

Remember AB566 is about condo conversions. We feel most park owner initiated condo conversion do not benefit residents., so we strongly oppose park owner initiated condo conversions.

Today residents have NO say. Local governments CAN NOT block these conversions. What AB566 does is gives residents a voice– if AB566 becomes law, a survey showing the majority of residents are against a conversion can be used by their local government to deny, conditionally approve or approve the conversion, i.e. local governments can consider if residents oppose it or are in favor of it.

After months of hard work, AB566 has passed both the Assembly and Senate. CoMO-CAL has sent out about 60 email ALERTS to several thousand mobilehome owners - primarily asking them to help defeat AB761 (vacancy decontrol)

and pass AB566. If you DO NOT receive these alerts and would like to be added to our email list (it is a free service to all mobilehome owners), just send us an email (comocal@yahoo.com) asking to be added. It is that simple.

AB566 is now on the Governor's desk. He has until October 11, 2009 to sign it into law (it would be effective January 1, 2010).

We ask for your support convincing the Governor to sign AB566. Please call or write him:

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814
Phone: 916-445-2841
Fax: 916-558-3160 (new number)

Residents testified that since May 2004 they had to endure scores of park-wide electrical outages, at least 20 park-wide water shut-offs, unstable soil, sewer backups and flooded streets during rain-storms. The electrical system was so poor, they said, that the park was plagued with power surges, dim lights, damaged appliances and so little electrical current that heaters could not be used in winter and air conditioners could not be used to relieve summer heat.

The evidence indicated that park operators took more than six years to make improvements to the electrical system.

Though state inspectors eventually signed off on the work, the plaintiffs' expert testified that the repairs -- some completed by an unlicensed contractor -- were haphazard and that the electrical system still doesn't meet national standards.

Residents further testified that their complaints were often met with derision by park staff, who called them "troublemakers" and failed to respond. Gibson's wife testified that she received several anonymous death threats, and Gibson told the judge he was repeatedly harassed, including being denied use of the pool for failing to sign a waiver of liability -- the only resident of whom the demand was made.

"The expectations described by the witnesses were hardly extravagant: End the noise, stop the mud, fix my driveway, restore my view . . ." O'Brien wrote. "For the most part, the resident office managers seem to have a standard reply: 'I'm working on it.' Evidently, they were not."

Note: We understand punitive damages are yet to be decided, but could be in the millions of dollars.

BUY THIS PARK? WE CAN'T AFFORD IT! By Attorney David Loop

"We could NEVER afford to buy this mobilehome park!" These words came from Bill, a 65 year-old gentleman who sat across from me at the dining room table in his mobilehome. Around the table sat four of Bill's neighbors in the park, a 50-space community located in Northern California. They nodded in agreement with Bill. One said, "Dave, you don't understand. This is not a rich park. We have some working people here, but most are senior citizens living on small, fixed incomes. Even if we wanted to buy the park, how could we afford it?"

Bill (the President of the park's homeowner association) had asked me to meet with his group. Word had come to him that the park owner planned to sell the park, and would consider selling it to the homeowners. However, the homeowners would have to pay his price, and complete the purchase in a short time frame. The price mentioned by the park owner was well in excess of \$1 Million. Bill knew that I lived in a park that had been bought by its homeowners in 2005. He knew I had been involved in the legal aspects of our park's deal. He was curious about how we had accomplished our goal of resident park ownership. The idea of owning the park appealed to Bill and his group, but they had many questions. Was their owner's asking price fair? What about the condition of the park? Where could they find money to buy the park, and could they really afford to buy it?

The group around that table didn't realize it that afternoon, but they already had two major pieces of the "park purchase puzzle" in place. They had:

An owner willing to sell the park at a fair price, and,

A few homeowners who wanted to take a serious look at the park purchase idea.

What they did not have *yet* was:

An experienced consultant who could help them confirm the park's value, find financing to

buy the park, and help them address the many aspects of a complex real estate transaction.

A *specific plan* on how to approach the project.

These things would come later. For now, Bill and his neighbors needed some basic information about "co-op" park purchases. (By "co-op," I mean a purchase of a mobilehome park *by an association made up of the park's homeowners*. That is, the homeowners' association would own the park, and each household could each own a share of the association. In today's financial markets, a co-op purchase is the only kind that makes sense for mobilehome owners). Bill, his neighbors and I discussed the following points:

- Any purchase where the homeowners will own the park (rather than some "outside" nonprofit corporation) will require some input of equity money from the homeowners. A lender will want *some* equity to be put in by the people who will own the park. Usually, the homeowners put equity into the deal by each purchasing a share in their homeowner association.

- If the association buys the park, it is likely that members' monthly payments will be more than when they simply rented a space. The association's goal is to make this increase affordable. Once homeowners understand the benefits of park ownership, and if they can afford the proposed monthly increase, they tend to join the association

- Every homeowner in the park does *not* have to buy-in to the association for the resident park purchase to succeed. Usually, 60 to 70 percent participation is enough. For Bill's 50-space park, this meant between 30 and 35 households needed to participate to allow the association to buy the park.

- "Government" lenders (e.g., state or county government agencies) may offer attractive low interest loans. But government loans come with strings attached, such as the requirement that the park meet

certain low-income standards. A group needs to carefully evaluate whether they want to be bound by these strings, or not. Also, getting government money can take many months, and a park seller may not be willing to wait that long for his money.

- Local banks often hesitate to make mortgage loans to mobilehome park associations. They are not eager to lend to associations with little business history or money in the bank.

- If you use commercial financing for your association's first mortgage, you will need a lender willing to make a "high leverage" loan. Typically, that loan that will cover about 80% of the park's fair value plus the costs of sale. A high leverage loan allows the park's homeowners to come up with less out of their own pockets to make the deal work.

- You must have a plan for "share-financing." It's likely that some homeowners in the park will not be able to pay "cash" for their share in the homeowners' association. The association needs a way to let those homeowners participate by buying their share with a small down payment.

The association leaders must perform due diligence regarding the park purchase. That means thoroughly analyzing the "numbers" presented by every consultant who offers to help you buy the park. It means not signing contracts with any consultant until the deal has been completely explained and understood. Anything less, and the association leaders have done a disservice to themselves and every homeowner in the park. (For more on "due diligence," please read my article in the May/June 2007 *Voice*).

It was two years ago that I sat with Bill and his neighbors around that table. Shortly after our meeting, they found a consultant, did their "due diligence," and came up with a specific plan to buy their park. They completed the purchase in 2006. Today, they have stabilized their rents for the long-term, no longer worry about the possible loss of local rent control, and have seen their home values increase substantially. Through their association, they own the land where their homes are sited. By the

numbers, their park purchase looked like this:

- Share price ("buy-in") = \$12,000.

- Number of Shares offered for sale = 50 (one per household).

- Buy-In Terms: Pay \$12,000 cash for a share, or finance 95% of the share purchase by putting \$600 down. (About ½ of the households who joined financed the purchase of their shares).

- Number of households who "bought-in" at time of park purchase = 45. I.e., nine out of ten households bought in.

- Average monthly rent paid per household as a "space rent" park *before* resident ownership of the park = \$260/mo.

- Monthly fee for members after park purchase = \$390/mo. This covers park operating expenses, payment on the association's mortgage on the park, and payment into the association reserve account.

- Monthly rent for those households that did not participate = \$260/mo (rent control stayed in effect for non-participants). The "renters" now have the association as their landlord.

- Mortgage Terms: The association got an 80% loan based on the appraised value of the park. As part of their first mortgage loan, they also borrowed some money for park "fix-up" and to establish a reserve account. The association has a fixed rate (*not* adjustable) mortgage at 6.1%. The mortgage loan is to be refinanced in 10 years. All borrowed money came from one commercial lender (no government loans used). The park has no low-income requirements or restriction on home resale values.

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

Can A Park Owner Require Removal Of A Mobilehome From The Park At The Time Of Sale? 2007 Legislation Attempts to Strengthen Resident Rights

By: Bruce E. Stanton, GSMOL Corporate Counsel

In recent years, as the mobilehome stock continues to age and deteriorate, there has been an increase in attempts by park owners to require that mobilehomes be removed from the park as a condition of sale. This is obviously a critical issue for California mobilehome owners, for it is well known that a mobilehome has virtually no value once it is removed from a park. Regardless of age, mobilehomes derive almost all of their value from the "site" where they are located. When a home is located on a landscaped site, with deck, awnings and porches attached, within a community which includes all of the customary common area improvements such as a clubhouse, a pool, roadways and exterior fences, that home derives a certain value from its location, and might be worth \$50-100,000.00. But move that same home out onto the street and advertise it for sale, and you would probably have to pay someone to haul it away. Unless a mobilehome can be sold "in place", on its rented space, it might be worth \$0. This is why we seldom see homes moved from their location at the time of resale. And it is why the ability to sell a mobilehome "in place" is of vital importance to mobilehome owners.

Park owners might have legitimate reasons for requiring that a mobilehome be moved from the park when it is sold. There could be significant code violations that make the home a hazard to the others within the community. Or its condition might be so deplorable that it is beyond repair, and would negatively affect the equity value of the park and the other homes within the community. Few would argue that in those circumstances, the home should be allowed to remain in the park. Unfortunately, some park owners have another agenda. They wish to frustrate or even block entirely the ability of a

homeowner to sell, so that one of two things will happen: (1) the selling homeowner will become so frustrated that they will agree to sell the home to the park for a few thousand dollars, thereby allowing the park to gain control of the space and either re-sell or rent out the home; or (2) the selling homeowner will not be able to fight the park, and will simply abandon the home, which allows the park to impose a warehouseman's lien, foreclose upon the lien and gain control of the home for the same purposes. Whenever a home is abandoned or given over to the park owner, the space is also "decontrolled" in most local jurisdictions which have a rent control ordinance, thus allowing the park owner to raise the space rent to what it deems to be a "market" rent. This is also a prime motivator for some parks to prevent "in place" mobilehome resales.

The California legislature has recognized the need to protect homeowners from unfair park owner resale practices. Civil Code section 798.73, which sets forth the conditions upon which a mobilehome can be removed upon resale, is fast becoming a key component of the Mobilehome Residency Law. According to the statute, there is no automatic right of the park owner to require that a home be removed. Rather, the park owner must bear the burden of showing either that (a) a mobilehome of certain age does not comply with health and safety codes following an inspection by the appropriate enforcement agency, or (b) that regardless of its age the home is "in a significantly rundown condition or in disrepair", as determined by its general condition and acceptability to occupants. Residents would hope that a park owner would follow this law in good faith. But of course this is not always the case with some park owners.

I am currently involved in litigation which

involves this very issue. An elderly couple needed to move from their home so that they could move closer to their children. But when they attempted to sell, the park owner refused to even provide a residency application to the proposed buyers, and informed the listing agent that the home could not be resold within the park. When pressed to give a reason for the refusal, the park simply stated that the home was “too old”, and was inherently unsafe because it had been manufactured prior to a certain date. The park did not rely upon an inspection to come to this conclusion, and refused to change its position even after the residents own inspections revealed that the home was not in bad condition. Only after a lawsuit was filed did the park owner come up with the argument that it believed the electrical system was too old and unsafe to allow the home to be resold, since any home manufactured prior to 1973 is presumptively “unsafe”. There was no advance notice of this argument which would have allowed the resident to quickly obtain an electrical inspection so as to prove the fitness of the home. ***Nor was the park’s position proven by any electrical expert.*** These poor residents continue to pay rent for a home that they cannot sell.

During the 2007 legislative session, only one significant amendment was made to the Mobilehome Residency Law. Civil Code section 798.73 was amended to beef up protection for residents, and make it harder for a park to require removal of a mobilehome upon resale. New subsection (e) to 798.73 now provides as follows:

(e) The management shall not require a mobilehome to be removed from the park, pursuant to this section, unless the management has provided to the homeowner notice particularly specifying the condition that permits the removal of the mobilehome.

This new language was added by AB 446 (Soto) for the purpose of requiring a park owner to state its position “up front”, so that the selling resident can address or contest any argument about the

home’s condition. Presumably this notice will need to be given by the park owner any time it is requested and most likely at the start of the listing process. No longer can a park owner simply refuse to allow an “in place” resale without providing a reason in writing. And if that reason turns out to be bogus, the park would either have to withdraw its position, or risk that it will be sued for a willful violation of Civil Code 798.73. This would allow the selling homeowner to recover damages for any lost sale, as well as attorney’s fees (798.85) and a penalty of up to \$2,000.00 for each willful violation (798.86).

It is important that residents understand and enforce their Civil Code rights. No one else is going to do it for you, and you cannot routinely count upon a District Attorney or a City attorney to protect you. If any CMRAA member believes that a park owner is unlawfully interfering with your ability to sell your home, you should contact CMRAA at once. We are here to protect you and your investment to the best of our ability.

Many mobilehome owners feel there are no problems in their parks. However, we advise them to be aware. When you go to sell your mobilehome, you may face many challenges. The park may ask you to move your home, the park may require “upgrades” to remain in the park, the park may not approve your buyers, etc.

Mr. Stanton’s article is a MUST READ. It provides important information to anyone thinking about selling their home. CoMO-CAL has published a three page article—The Seller’s Guide by Clay Harrison. It, too, provides sellers important information.

We thank GSMOL and Mr. Stanton for the above article. This is an example of one way our groups are working together.

Results of August 7th Online Survey

Below are the results of the August 7, 2009 online survey. It was posted for two weeks and 128 individuals responded. Thank you all. Go to page 6 to see some of the comments to various questions. It is the goal of CoMO-CAL to listen

to mobilehome owners - and "surveys" are a terrific way for you to share your thoughts with us. We plan many more in the coming months. Another big reason to have a computer and internet or at least a neighbor or friend who does.

1. Do you believe we are in a war with our park owners?

	Number of Response(s)	Response Ratio
YES	123	96.0%
NO	10	7.8%
NOT SURE	20	15.6%
Total	128	100%
65 Comment(s)		

2. Do you know about a book called "Mobile Home Wars" written by Donald DeVore?

	Number of Response(s)	Response Ratio
Yes	38	29.6%
No	108	84.3%
Not Sure	6	4.6%
No Responses	0	0.0%
Total	128	100%

3. Do you have a Home Owner's Association/ Resident group or other in your park?

	Number of Response(s)	Response Ratio
Yes, but it is a social group only	18	14.0%
Yes, it was formed to help protect our rights	75	58.5%
We had a group, but no more	13	10.1%
Not sure	8	6.2%
No, we don't have any organization in my park	25	19.5%
Other	28	21.8%
Total	128	100%

4. Most of you already are on CoMO-CALs Email Network. Tell us your thoughts

	Number of Response (s)	Response Ratio
Yes, the information is very useful and I am actively writing/ calling/ faxing my legislators	113	88.2%
Yes, the information is useful, but I don't have the time to be ac- tive	26	20.3%
Yes I get the ALERTS, but I'm not really interested in the infor- mation	3	2.3%
No, I don't get your ALERTS, and would like to be added to your NETWORK	2	1.5%
No, I don't get your ALERTS and would not want to be included	0	0.0%
Other	7	5.4%
No Responses	0	0.0%
Total	128	100%

43 Comment(s)

6. Would you or someone you know be interested in attending a brainstorming session, perhaps held in Carpinteria, in September?

	Number of Response(s)	Response Ratio
Yes, absolutely	20	15.6%
Maybe, but I'd have to make sure I'm available on that date	40	31.2%
No, I live too far away	68	53.1%
No, I just wouldn't be interested	7	5.4%
Other	11	8.5%
No Responses	0	0.0%
Total	128	100%

24 Comment(s)

7. What issues would you like discussed at this meeting? (Check all that apply) We will also write more about the important issues in THE VOICE.

	Number of Response(s)	Response Ratio
Management problems - harassment/intimidation/etc.	66	51.5%
Interference of Sales -	39	30.4%
Condo Conversions	79	61.7%
Rent Control	109	85.1%
Failure to maintain	61	47.6%
Unfair business practices	49	38.2%
Organization/uniting mobilehome owners	72	56.2%
Strategies to protect our rights	96	75.0%
Strategies to reach more owners of mobilehomes	82	64.0%
Legal assistance	70	54.6%
Other	11	8.5%
Total	128	100%

33 Comment(s)

Comments from Some Who Took the August 7th Survey

1. Do you believe we are in a war with our park owners?

As the 21 years of residence in this park have gone on, it is increasingly clear that fewer services, less tenant support, more greed motivate owners; the happy interaction of staff and homeowners is dissipated; so sad.

Management targets, then bullies, then weakings the mind because of their controlling ways, it makes you forgetful of your own human rights. Easy enough if we just remember WHATS THE WRONG WAY AND WHATS THE RIGHT WAY.

Every difference of opinion is not a war. You are doing a great job with our organization, (of which I'm a member) but lower the testosterone a little bit.

Have been at war since the late 70's. Getting worse now, since GSMOL LOST over 60,000 members & is still losing. Sacramento doesn't listen. Ten years ago, park owners wouldn't have had the nerve to find a SPONSOR for a bill like AB 761 & now they not only found a sponsor, they have gotten it PASSED in the Assembly.

I'm not sure if there are any reasonable park owners left.

2. Most of you already are on CoMO-CALs Email Network. Tell us your thoughts

CoMO-CAL has the most up to date informative information of any of the organizations.

Your stance is a combative one which will only hurt residents.

I need to summarize them (email alerts) for the few neighbors for which I have email address. I have had complaints that the full text of alerts is too complicated for people to understand after I forwarded several entire alerts.

You are doing a great job, a great service for those who need affordable housing. Thank you beyond thank you!

Wish more of our senior residents had computers and participated in this.

I'm not sure I want to get involved, but I have some fear that if I don't I will regret it. I am not real computer savvy.

I feel the urge to be active, but, at 89 , find it too demanding, along with keeping up my place and staying alive.

3. What issues would you like discussed at this meeting (September 12 Brainstorming)?

Frankly, I do not know who to turn to with regard to the fact that our management does not see that their own rules and regulations are complied with in our park.

I have checked a number of items (issues)- the most important is to figure out how to get seniors active. They only become active and come to meetings if they think that it could hit their "pocket books".

No one told me when I purchased a Manufactured home I would be treated like a second class citizen when comes to financing. It's horrible and a law needs to be passes to stop the Financial discrimination in Manufactured Housing. I either get "We Do NOT finance "Mobile Homes" (they don't even know the difference between a manufactured home and a mobile home) or they want to add points because it not a stick built home. That's flat out DISCRIMINATION and something needs to be done!

Perhaps emergency/earthquake preparedness planning. We should have something like 'block captains' to report to, after contacting our neighbor on either side...also some emergency equipment and supplies available, perhaps in the clubhouse...

Park Closure - What Are The Guidelines for Notification

Homeowners must be given 15 days advance notice of management’s intent to appear before a local governing body to request a change of use for the park, and the notice must include an impact report describing housing alternatives and mitigation efforts. The local governing body must review this report before making any final decisions.

Homeowners must be given six months advance notice of intent to close the park after all local permits have been approved, or twelve months

advance notice if the park closure does not require local government permits.

In addition to the MRL, local governments have the ability through zoning and conversion ordinances to impose conditions on requests to close parks, for example, by requiring relocation assistance or requiring management to buy the home at fair market value.

Note: This information from Project Sentinel at http://housing.org/pdf_docs/Mobilehome%20Residency%20Law.pdf

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 _____ SPONSOR (if any) _____

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

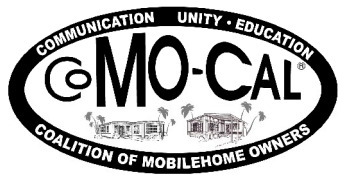
MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) 90 day full refund guarantee if not satisfied

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!



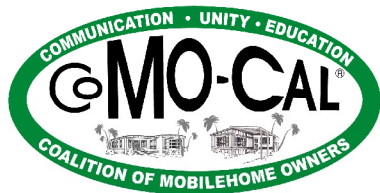
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mobilehome owners.**

SERVICES WE PROVIDE OUR MEMBERS

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

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