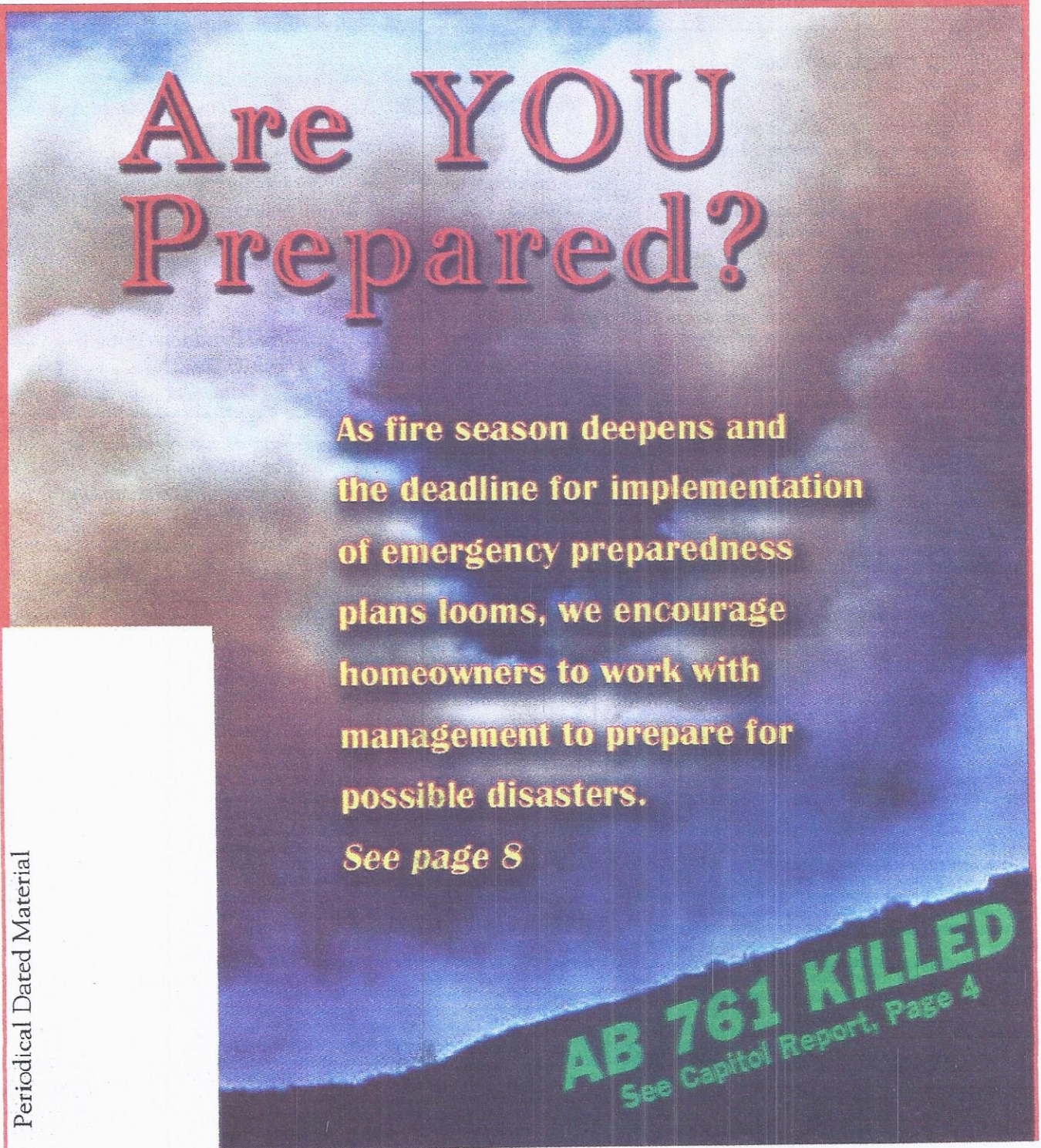

THE
CALIFORNIAN
GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

Volume 45 Issue 4

--GSMOL-- Advocating for Homeowner Rights Since 1962

July/August 2010



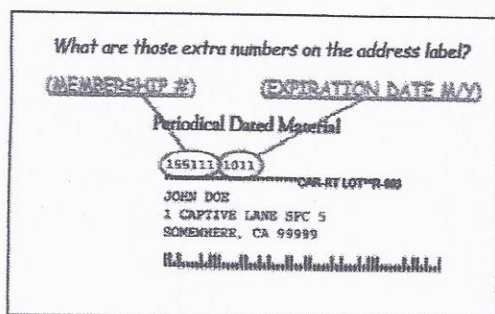
Are YOU Prepared?

As fire season deepens and the deadline for implementation of emergency preparedness plans looms, we encourage homeowners to work with management to prepare for possible disasters.

See page 8

Periodical Dated Material

AB 761 KILLED
See Capitol Report, Page 4



THE CALIFORNIAN (USPS 898-320)

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Golden State Manufactured-Home
Owners League, Inc.*

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Editorial and Advertising Offices:

11021 Magnolia St.,
Garden Grove, CA 92841
mainline (714) 826-4071
fax line (714) 826-2401
toll-free (800) 888-1727
E-mail: gsmol@earthlink.net

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GSMOL BOARD OF DIRECTORS

President

JIM BURR

Westlake Village
2400 W. Midvalley Ave., Maple 4
Visalia, CA 93277
Phone & Fax (559)732-2177
james-burr@sbcglobal.net

Vice-President Zone A

LLOYD LOGAN

Imperial Manor
Citrus Heights, CA 95611
Phone (916)332-4409
Fax (916)331-6968
lloydlogan09@comcast.net

Vice-President Zone A-1

ROGER McCONNELL

The Country MHP
156 Shoreham Way
Santa Rosa, CA 95401
Phone (707)527-8433
r-nmac@sonic.net

Vice President Zone B

JAMES GULLION

Cascade Estates
PO Box 1460
Jamestown, CA 95327
Phone & Fax (209)533-9174
jgullion25@sbcglobal.net

Vice President Zone B-1

CRAIG HULL

Sea Esta Village
47 Sea Esta Place
Ventura, CA 93003
Phone (805)676-1728
motorcopboy@gmail.com

Vice President Zone D

TIM SHEAHAN

Villa Vista Estates
2907 S Santa Fe Ave., #2
San Marcos, CA 92069
Phone & Fax (760)727-4495
tpsheahan@cox.net

Vice President ROP

JERRY BOWLES

Brookvale Terrace MP
300 Plum St., #111
Capitola, CA 95010
pgr (831)684-3224
gsmol_rop_vp@charter.net

Treasurer

BOB OGLE

Rancho San Luis Rey
200 N El Camino Real, #29
Oceanside, CA 92058
Phone (760)433-3696
gsmolbob@yahoo.com

Secretary

MARY HAHN

Oak Grove Estates
PO Box 19126
Sacramento, CA 95819
Phone (916)726-2855
Fax (916)726-2105
Maryh2811@aol.com

(See map on page 15 for new Zone boundaries.
Region numbers and boundaries remain the same.)

President's Report



*Jim Burr, GSMOL
State President*

Summary of the GSMOL Board of Directors Planning Retreat

I thought it best if we take this opportunity to explain the results of the Board of Director's Planning Retreat and more importantly, the priorities that resulted from our two-day discussions. Our members, our Region Officers, our standing and special committees, and our office staff should know of the priorities to which the board has committed. Folks deserve to know not only what the priorities are but also the reasons they were chosen. So let's start this process now and continue it in future issues.

The retreat was held on June 4 & 5, 2010 at the Visalia Holliday Inn. This was the site of the 2002 GSMOL Convention. It was limited to members of the Board of Directors and fortunately, all of them along with Bruce Stanton and Brian Augusta were able to attend. Our leader was Michael Perri, Consulting Strategic Planner, who has volunteered his time starting with the convention planning and participation in Ontario, then on to preparing and moderating the retreat. He continues as an advisor to the Board and his contribution has been extremely beneficial to GSMOL and the new board.

This was mainly a planning effort

wherein the officers and professional advisors could create a plan of action for the remainder of 2010 and beyond. Its purpose was to revisit GSMOL's vision and reach agreement on the goals and measurable objectives of the organization over the coming year. Then we were to gain commitments by board members to specific objectives through the end of 2010 and outline of a plan for 2011 to 2012.

It soon became evident that Leadership Recruitment and Training must be our strategic focus for 2010 and 2011. In order to build a strong leadership team in all Zones, every GSMOL Zone Vice President will focus on leadership recruitment and development for the remainder of 2010 and into 2011. This includes filling the Zone C VP opening and adding more Region Officers (active Region Managers, Associates and Assistants) where needed in nearly all Regions.

This involves training and developing existing GSMOL advocates and park leaders for regional and zone leadership roles, recruit from leaders in other existing organizations including regional or county coalitions and homeowner associations. We note that our two new Zone VP's came from Regional HOA's in Ventura and Santa Rosa.

Zone VP's will identify and recruit GSMOL members by creating smaller leadership roles for them such as signing up new members and reminding current members to renew. We will create events and opportunities for existing leaders to take additional leadership roles and to excite the interest of more people in joining GSMOL.

We will lead by example and show people how to do things rather than tell them how to do things. We will have fun as we work to develop team play-

ers who can develop a record of accomplishment as GSMOL leaders

Finally, it became evident we must expand our volunteer Zone and Region Officers because all else we do falls out of that - including recruiting and serving new members, supporting chapters and HOAs, seeking alternative sources of financing and more.

Therefore, "Job-One" is to concentrate first on recruiting and training new leaders. This must be the basis of Zone VP's, and Regional Officers' daily activities, articles in The Californian, Zone Reports for Board meetings, Region meetings, Presidents Luncheons and all else we do relating to GSMOL.

Noticeable improvements in the service to our members will take time - it won't happen overnight. Over the next couple of years, it will be interesting and exciting as we work together to see a new GSMOL take shape. Please don't let it happen without you...

NEXT

Board of Directors Meeting
Golf Green Estates
8665 Florin Road
Sacramento, CA 95828
Friday August 20, 2010
10:00 AM

Golf Green Estates is located south of downtown Sacramento. Take the Florin Road exit off Hwy 99 and go East 3.4 miles. Golf Green Estates will be on your left. Thank you to the homeowners at Golf Green for their generous hospitality!

Capitol Report

Christine Minnehan and Brian Augusta

The halls of the Capitol were quiet last month, with most legislators home in their districts for the month long recess that began just before the July 4th holiday. But the week leading up to that recess was anything but hushed, as hundreds of bills received their final policy committee hearings in advance of that week's deadlines.

The biggest news for homeowners of that final week was the defeat of AB 761, Assemblymember Calderon's bill to establish vacancy decontrol, allowing a rent increase of the greater of 20% or \$100 whenever a home is sold. GSMOL members and other homeowner advocates filled the committee chambers to demonstrate their opposition to the bill, which would dramatically reduce the value of their homes. With three staunch supporters of rent control making up the majority of the committee, the bill's fate was clear to most observers. Nonetheless, Assemblymember Calderon and WMA's lobbyists choose to present the bill, though their only audience was the chair, Senator Corbett, a strong supporter of protecting mobilehome owners and their investments in their homes. When the committee finally took the bill up for a vote, it went down soundly to defeat, receiving only one "AYE" vote, Senator Tom Harman.

It was a tremendous and hard fought victory for homeowners. Defeat of AB 761 was the number one priority of GSMOL and other homeowner groups. Unfortunately this is not the end of the story, as the battle over rent control in mobilehome parks is expected to remain one of the top issues for both

homeowners and park management.

Most expect that WMA and its supporters will try again next year to end or strictly limit rent control in parks.

GSMOL will once again be at the center, standing up for the interests of homeowners.

Bill	Summary	Status	GSMOL Position
AB 761 (Calderon)	Would impose vacancy de-control restrictions on local mobilehome rent control ordinances.	Failed in Senate Judiciary Committee, 1-3. Dead for the year.	OPPOSE
AB 1097 (Strickland)	Under existing law, parks with a sub-metered utility system are allowed to collect a portion of the fees charged to residents. This fee, sometimes referred to as the sub-metered discount, is collected by the park owner to compensate them for the cost of providing and maintaining adequate utility service. Existing law also creates a mechanism for park owners to voluntarily transfer their sub-metered systems to the utility. This bill would, among other things, allow parkowners to be compensated for the "value" of the sub-meter discount that the park owner would give up by transferring the system.	Held in Senate Appropriations committee. Dead for the year.	NEUTRAL
AB 1108 (Fuentes)	Would make changes to requirements when electric or gas utilities are provided to mobilehome park residents.	Held in Senate Appropriations Committee. Dead for the year.	SUPPORT
AB 1803 (Nava)	Would Establish an MRL mediation program funded by a fee paid by residents and park owners and operated by the Attorney General as a way to resolve disputes.	Failed passed in Assembly Housing. Dead for the year.	SUPPORT
AB 1964 (Torres) & SB 951* (Correa)	Current law providing periodic mobilehome inspection scheduled to "sunset" at the end of the year. Bill would extend program to 1/2019. SB 951 that established an advisory task force (made up of homeowners, park owners and HCD) would extend to 1/2017.	AB 1964 pending in Senate Approps; hearing date unknown. SB 951 pending in Asm. Approps; hearing date unknown Send letters of support to both committees	SUPPORT
AB 2120 (Silva)	Existing law requires management of a mobilehome park to provide all residents with a copy of the MRL. This bill would delete that requirement.	Signed by the Governor July 15.	NEUTRAL
AB 2439 (Nestande)	Under existing law, a park owner must allow a homeowner to sublet his or her space—subject to certain conditions—if the person must be absent because of a medical emergency that is confirmed by a doctor. Among the conditions, a homeowner using this provision may not charge the sublessee more than an amount necessary to cover the cost of space rent, utilities, and scheduled loan payments on the mobilehome, if any. This bill would, additionally, allow (but not require) a park owner to authorize subletting in cases where there is not a medical emergency, and allow the resident to charge any rent they desire, but would end rent control on the space.	Held in Assembly Housing Committee. Dead for the year.	OPPOSE
AB 2029 (Cook)	Would exempt a manufactured home or mobilehome household whose income is below the federal poverty level from the annual registration fee requirement.	Failed passage in Assembly Housing Committee. Dead for the year.	NEUTRAL

U. S. APPEALS COURT HEARS ARGUMENTS IN GOLETA CASE

By: Bruce Stanton, Attorney

ABOUT THE AUTHOR: MR. STANTON HAS BEEN A PRATICING ATORNEY SINCE 1982, AND HAS BEEN REPRESENTING MOBILE-HOME RESIDENTS AND HOME-OWNERS ASSOCIATIONS AS A SPECIALTY FOR OVER 20 YEARS. HIS PRACTICE IS LOCATED IN SAN JOSE, AND HE IS CORPORATE COUNSEL FOR GSMOL

A nine-judge panel of the 9th U. S. Circuit Court of Appeal heard oral arguments in late June in the case of Guggenheim v. City of Goleta, and will now be ready to rule on whether the Goleta mobilehome rent ordinance constitutes an unlawful taking of the park owner's property. The case was submitted for decision after the park owner and City attorneys presented their arguments. GSMOL filed a friend of the court brief in this important case, and will continue to participate in the case until its conclusion.

The original decision of the court was issued by a three-judge panel last September, and found in favor of the park owner. That is when GSMOL and the California League of Cities mustered their legal resources to join the City of Goleta in requesting a new hearing before the entire 9th Circuit panel. Although rarely granted, in March the court agreed to set aside the original decision and invited new briefing and argument. Overturning the original decision will be critical to avoiding potential attacks on rent ordinances throughout California. The case involves the Fifth Amendment to the U. S. Constitution, which prevents the taking of property without due process of law.

It is always difficult to predict an outcome based upon oral argument, especially with 11 judges. The reports from the media outlets and attorneys involved stated that most of the judges seemed to believe that Goleta had not "taken" anything from the park owner because the park was purchased after the ordinance had been adopted. When Goleta merely readopted its ordinance in 2002 (the event which triggered the lawsuit) the market value of the park did not change, and the park's "investment backed expectations" were not interfered with. This in fact was the City's argument. Several of the judges questioned the park's lawyer vigorously, and it was reported that he took a "verbal drubbing" from the panel. But the chief judge seemed to indicate that he would want to swerve to a different legal "private taking" test, while the one judge who was a part of the original September decision said nothing. Residents can only hope that the predominant number of questions leveled at the park's lawyer is an indication of the judge's true positions on the matter, and that it could signal a monumental reversal of the original decision.

A detailed summary of the spirited oral arguments is available at the website of the Daily Journal legal newspaper, found at dailyjournal.com. It gives an excellent summary of the judges' aggressive questioning of the park's lawyer, the equally concerted barrage of questions fired at the City's lawyer, and the comments from the bench that could provide clues as to which way the court shall rule. GSMOL continues to be hopeful that what can only be described as an outrageous decision by the court last September shall now be corrected. The City's attorneys thanked

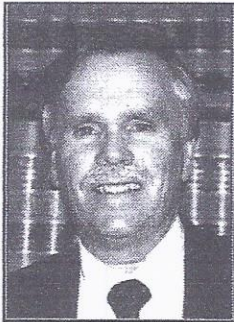
all of those who allied in this group effort, and GSMOL is honored to have stood with Goleta in their hour of need. We can now do nothing but wait for the announcement of the Court's decision, which will be reported here and on the GSMOL website as soon as the news breaks.

JUNE BOARD MEETING HIGHLIGHTS

The following are highlights of the Board of Directors' meeting held June 17, 2010:

- Brian Augusta and Bruce Stanton attended
- Board Planning Retreat Report and renewed effort to recruit more leaders in the field
- Plans for the 2012 Convention are in the works
- GSMOL Education Fund will be formed as a 501 c) 3) non-profit that will qualify for grants and corporate sponsorships
- Attorney Will Constantine was retained for special work on the condo-conversion issue
- The new classes of "Affiliate" and "Corporate" memberships were discussed and the Board will develop a policy relating to the particulars of those memberships
- Plans to repair the roof and air conditioning units at the Home Office were presented (that work was set to be completed by August 1, 2010)
- Board meetings for the remainder of 2010 were tentatively set for August, October and December

"ASK BRUCE"



**By: Bruce Stanton,
MH Specialist Attorney and
GSMOL Corporate Counsel**

CAN A PARK OWNER PASS THROUGH COSTS OF ELEC- TRIC OR GAS REPAIRS OR RE- PLACEMENTS TO HOMEOWNERS?

ABOUT THE AUTHOR: MR. STANTON HAS BEEN A PRACTICING ATTORNEY SINCE 1982, AND HAS BEEN REPRESENTING MOBILE-HOME RESIDENTS AND HOMEOWNERS ASSOCIATIONS AS A SPECIALTY FOR OVER 20 YEARS. HIS PRACTICE IS LOCATED IN SAN JOSE, AND HE IS THE NEW CORPORATE COUNSEL FOR GSMOL

Questions often arise in connection with how repairs to gas or electric systems are handled in mobilehome parks where each space has its own gas/electric meter which is read by management, and the resident pays the park directly, rather than a serving utility such as Pacific Gas & Electric for use of energy. These parks, which operate what are called "submetered systems", are subject to special rules which derive from both the California Public Utilities Commission (CPUC) and California caselaw, which regulate the ability of parks to pass through any costs related to the energy systems to their residents. It is important for residents who live in such parks to under-

stand the important protections which exist for their benefit. Note that regulation of water and water charges is not a part of this article, but is an entirely separate issue.

Here is the basic rule to remember: A Park Owner is not entitled to receive a rent increase based upon expenses relating to the repair, replacement or upgrade of submetered energy systems.

Many mobilehome parks have a master meter at the street which is read and serviced by the utility provider, with a system of submeters located within the park that read energy consumption at each individual space. The park owner is responsible for the repair, reading, maintenance and upkeep of the system located within the park property, and pays the master meter bill directly to the utility. The park then reads each individual meter and bills each resident for the amount of his or her usage on a monthly basis. The rates which the Park is permitted to charge are carefully regulated.

In *Rainbow Disposal Company v. Escondido Mobilehome Rent Review Board* (1998) 64 Cal. App. 4th 1159, at p.1166, the Court examined the relevant law and quoted a published decision of the CPUC entitled *Re Rates, Charges, and Practices of Electric and Gas Utilities Providing Services to Master-metered Mobile Home Parks* (1995) 58 Cal. P.U.C. 2d 709, 1995 WL 216917 (hereinafter "Rates, Charges and Practices"). In this ruling, known throughout the mobilehome industry as the "double-dip decision", the CPUC found in favor of three GSMOL members, and described the park owner-resident relationship in a master-metered park as follows:

"[Public Utilities Code section] 739.5 regulates the rates that master-

metered mobile home parks with submetered utility systems may charge their tenants. This code section requires master-metered mobile home parks to charge tenants at the same rate the utility would charge the tenants for direct service. The discount is intended to cover the 'average costs' of park owners to provide submetered service, but is not to exceed the 'average cost' of the serving utility to provide comparable service to tenants directly served by the utility. The park owner must maintain and, as necessary replace the distribution system beyond the master meter. In addition, the park owner must maintain and read the submeters and provide each submeter customer with an itemized billing similar in form and content to bills provided by the public utility. Basically, within the mobile home park, the park owner performs the functions...of the public utility."

In *Rates, Charges and Practices*, the CPUC thus concluded that master-metered park owners are barred from recovering the costs of recovering the costs of improving their gas and electric systems through rent increases, since Public Utilities Code section 739.5 expressly limits their recovery to the amount derived from a "submetering discount" which is made available to park owners by the CPUC. In essence, the park owner is permitted to buy its energy from the serving utility "wholesale", and sell it to the tenants at a higher "retail" price which includes a monthly differential "discount". This discount amount is set by tariff, is currently about \$16.00 per space per month, and is provided to give park owners the funds needed to repair, maintain and improve the submeter system.

Continued on page 7

News from Zones C and D

We continue to have a real need for members to serve in leadership positions in the regions of Zone C. That includes Los Angeles, Orange and San Bernardino counties. GSMOL President Jim Burr and Zone D VP Tim Sheahan are willing to assist in this effort and might be available to come and speak to homeowner groups in those areas.

If you have ties to local homeowner coalitions, want to form a GSMOL super-chapter or have an active GSMOL chapter, let us know so we can set up some meetings in your area. Step up, get involved and have your voice heard!

News from Zone D

by Tim Sheahan, Zone D VP

I am please to report that Donna Banks of Arroyo Fairways in Sun City has been appointed as a new Associate Manager in Region Nine. Donna serves as President of the Valley Mobilehome Residents Association in the Hemet area. We look forward to Donna's service and assisting her along the way.

Chula Vista homeowners have formed their own coalition to network residents of manufactured housing communities in Chula Vista. As with other local alliances, having a recognized voice of homeowners in a local jurisdiction can be a great benefit. GSMOL is already working hand-in-hand with the new group to give homeowners a stronger voice in Chula Vista.

In Escondido, a new group led by GSMOL member Larry Steneck has become a politically active voice for homeowners. The Coalition of Escondido Mobile/Manufactured Home Vot-

ers (CEMV) has developed a broad network of representatives throughout MH communities in Escondido with the goal of electing a more supportive City Council leading to stronger local protections for homeowners.

In Oceanside, the owner of Cavalier Mobile Estates is attempting a forced condo conversion of the community, against the will of the homeowners. Thus far, the City Planning Commission has rejected the conversion and later this month, the City Council is set to vote on whether to allow the conversion to go forward.

"ASK BRUCE"

Continued from page 6

In *Rainbow*, the argument that rent boards may ignore, or are not subject to rulings of the CPUC was rejected, and the Court also noted that an order of the CPUC controls over a local ordinance. City hearing officers are thus bound by the CPUC ruling. The submetering discount has already provided the Park with all of the money necessary to effect the repairs to the electrical system. These funds have been flowing to the park owner each month for decades. If the Park has been unwise in its decision to use these funds for purposes other than as a utility reserve, then the Park must alone bear the consequences of its fiscal irresponsibility. But it cannot collect twice for the same thing. Further support for this rule is found in *Steiner v. Palm Springs Mobilehome Properties* (1997) Cal P.U.C. Decision No. 97-07-009, 1997 WL 449535, wherein the CPUC stated that if a hearing officer to award a rent increase to cover the costs of repairs or upgrades to a submetered utility system, he or she would have "impermissibly intruded on the constitutional and statutory ratemaking authority of the

[PUC]. Thus, not only repairs or maintenance of the energy systems are covered, but also upgrades.

Some park owners attempt to differentiate between electrical expenses which pertain to the common area, and those which do not. But the CPUC has explicitly ruled that even common area repairs fall within the scope of the submetering discount. In *Robert Hambly, et al. v. Hillsboro Properties and City of Novato, Cal. P.U.C. Decision No. 01-08-040* (August 23, 2001), the CPUC addressed the issue of whether conduit and trenching expenses incurred in the course of operation, maintenance and repair of park common areas, including the pool, clubhouse and street lighting system, could be charged to tenants without CPUC approval, and ruled that it would be improper to charge residents for common area energy system costs. It noted that the park owner's remedy would be to raise the issue of common areas costs at the next General Rate Case proceeding, wherein the CPUC sets rates for the submetering discount.

If a park owner wishes to give maintenance responsibilities for the energy system back to the serving utility, the process for doing so is set forth at Public Utilities Code section 2791-2799, and this "take back" procedure has been the subject of recent proposed legislation which GSMOL shall continue to monitor. This is complex issued to be sure, but one which should be understood. Residents should be on the lookout for any attempt by a park owner to charge them for repairs, maintenance or upgrades to gas or utility systems for which the park has already been paid over the years, and should quote the above authority to their local officials to put a stop to any such attempts.

**Visit our re-vamped
website at: gsmol.org**

ARE YOU PREPARED?

Firestorms that hit several manufactured home communities in recent years triggered a renewed focus on homeowner safety, which led to passage of SB 23 by Senator Alex Padilla last year. SB 23 expanded responsibility of creating emergency preparedness plans and can now be found in the California Health and Safety Code, sections 18603 and 18871.8.

Below are highlights of the new law:

"It is the intent of the Legislature that an owner or operator of a mobilehome park or manufactured home community communicate to residents essential evacuation routes and basic emergency preparedness information in a manner appropriate to the community. It is not the intent of the Legislature that an owner or operator be responsible for physically evacuating residents from their homes during an emergency. It is further the intent that residents take personal responsibility for themselves during an emergency."

- In every park there shall be a person available by telephonic or like means, who shall be responsible for, and who shall reasonably respond in a timely manner to emergencies concerning, the operation and maintenance of the park. In every park with 50 or more units, that person or his or her designee shall reside in the park, have knowledge of emergency procedures relative to utility systems and common facilities under the ownership and control of the owner of the park, and shall be familiar with the emergency preparedness plans for the park.

- On or before September 1, 2010, an owner or operator of an existing park

shall adopt an emergency preparedness plan.

- Owner or operator of a park shall do both of the following: (1) Post notice of the emergency preparedness plan in the park clubhouse or in another conspicuous area within the mobilehome park. (2) On or before September 10, 2010, provide notice of how to access the plan and information on individual emergency preparedness information from the appropriate state or local agencies, including, but not limited to, the California Emergency Management Agency, to all existing residents and, upon approval of tenancy, for all new residents thereafter. This may be accomplished in a manner that includes, but is not limited to, distribution of materials and posting notice of the plan or information on how to access the plan via the Internet.

- An enforcement agency shall determine whether park management is in compliance with this section. The agency may ascertain compliance by receipt of a copy of the plan, during site inspections

conducted in response to complaints of alleged violations, or for any other reason.

- Notwithstanding any other provision of this part, a violation of this section shall constitute an unreasonable risk to life, health, or safety and shall be corrected by park management within 60 days of notice of the violation.

While the new law places added responsibility on the park operators, it also creates an opportunity for homeowners to work with management to develop maximally effective programs, benefitting both the park and the homeowners. We encourage members to seize this opportunity, which might lead to better communication and understanding in general.

GSMOL member Bob Bowen and a group of dedicated residents at Palomar Estates East in San Marcos have developed a very comprehensive emergency preparedness plan, which GSMOL has made available on our website. Even if you don't adopt the whole plan, it is great reference for creating your own plan. Some form of disaster could hit virtually any of our communities, making it important for all of us to work with our neighbors and management to plan ahead and be better prepared if that day comes.

EVERYONE IN YOUR PARKS SHOULD BE REGISTERED TO VOTE...

From Richard Hofmann, Region 2 Associate Manager

I am voter registration chair of some groups I belong to and I urge ALL CLUB OFFICERS to go throughout your parks to help residents register to vote. All it takes is a clipboard and forms that can be obtained through the County Registrar of Voters. We need more of our residents voting and taking part in our system to ELECT OUR CANDIDATES WHO WILL SUPPORT US and our legislation in Sacramento and Washington, D.C.. Everyone has to register to vote if they:

1. MOVE TO ANOTHER HOME (Even next door)
2. HAS NOT VOTED IN SEVERAL ELECTIONS
3. CHANGED THEIR NAME
4. CHANGED PARTIES.

One person in each MH park should be in charge of registering voters.

UPDATE FROM ZONE A!

By Lloyd Logan, Zone A Vice President

Because of some health issues, I've not been as active as would normally be. However, on July 7th we traveled to a very nice community called Castle Park, in Ione, CA. in Amador County. This included Norma Bohannon, Region 14 Mgr. and Bob Hites, Assoc. Region Manager for Regions 4, 11, and 14 Manager.

We were also able to encourage more membership at Castle Park. With about 14 attendees, we accepted 6 new members. Also, they feel they will be able to ultimately increase membership to over 50% of the park. One of their leaders Mr. Wilson felt he could obtain 80% membership. That would be fantastic and harder to achieve but, over time, who knows...

Because of the wording of their leases, we have sent copies to our Corporate Counsel, Mr. Bruce Stanton. He will be reviewing them with suggestions that may not allow all the terms of their current contracts to prevail.

Ione is not far from Jackson where we have a President of the Chapter in Rollingwood MHP, Shirley Dajnowski. Shirley. With the assistance of her V.P. Dennis Hearn, they obtained and sustain a Rent Stabilization Ordinance for the City of Jackson. Unfortunately, it does not affect all homes in the community because some were installed after a date that excludes rent protection ordinances. In addition, the homeowners have been encouraged to sign long-term leases. Apparently, the park owner realizes that any rental agreement signed for over 1 year disallows the benefits of an ordinance until the lease expires. We wish all manufactured homeowners were aware of this abuse of the MRL prior to signing Rental Agreements in any such jurisdiction.



Rollingwood Estates, Chapter #1605 in Jackson, CA officers:

From left; Dennis Hearn-Vice President; Shirley Dajnowski-President (with her recently awarded GSMOL Legacy Award); Sharon Adams-Secretary/Treasurer

Because of Shirley's service, we recommended her for the "GSMOL Legacy Award" that was awarded to her in absentia during the April Convention in Ontario. This visit was the first opportunity I've had to present the award to her. In addition, I've suggested that Shirley be appointed as an Associate Manager for Region 11 at least for the Amador County area. She has agreed to seriously consider this with the concurrence of Michelle Smith, Region 11 Mgr. Michelle needs all the assistance she can get since she is still employed full time. It was a very inspirational day and a great trip to Ione. We'll report all results as they develop in future issues of The Californian

WRITE A LETTER, PLEASE

By Norma Bohannon, Region 14 Manager

Sandy O'Shaughnessey, President of Mobil Country Club Chapter 284 in Rancho Cordova, says it is important to get everything in writing. "Everybody says it doesn't do any good to write letters, but we have found the opposite to be true in our case" she said. Chapter 284 officers were surprised last

year when told by park management they could not set out a Donation Can at their fund-raising events. They learned about this ruling during conversations with Wendy Hutton, Property Supervisor. In fact, Wendy called the act of placing a Donation Can out "elder abuse"!

The officers met and talked about what to do. They had three choices.

1. Get in an argument with Wendy; yelling and swearing.
2. Shut up and put up with it. Give up the idea of collecting any money for the Chapter.
3. Write it down.

These wise officers voted for choice #3, write it down. They kept careful notes of what was said when they talked to Wendy. They wrote letters to Wendy to confirm what was said, and asked her to answer by letter.

Because of the letters going back and forth, the park management company called a lawyer. He wrote a letter to the officers supporting Wendy's ruling against a Chapter Donation Can. He called it "solicitation". He quoted MRL Section 798.51. Maybe he tried to scare people.

The officers asked GSMOL for advice and help. And GSMOL attorney Bruce Stanton was able to help. He wrote a letter to the park attorney explaining 798.51 very clearly and strongly. He reminded the park attorney that to interfere with the Chapter activities such as collecting donations or recruiting members was a violation of MRL.

Strangely, no more was said to the officers about any donation can. Could it be that keeping records and writing letters worked? Could this be one way members can help GSMOL help them?

NEWS FROM ZONES A, B AND B-1

Jim Gullion, V-P of Zone B

Attention please to all GSMOL Members living in Region 12 or 13, which now comprise Zone B. Would some of you be willing within your own park, to be informed when a "members dues have not been paid on time"? Many times this can be caused by either not remembering they have been informed by our GSMOL Home Office, or the notice that was received somehow got lost in the shuffle.

To better expedite what caused the failure to renew would be for someone living in a given park and assisting me with this problem. I know it is much easier for me to investigate within my own park due to my familiarity of my own home base. This kind of help would be such a blessing and also prevent additional reminders as well as cost effective for the Home Office to mail out a second or third time. We are all very aware that the postage is out of sight cost wise.

If some of you folks could participate, I certainly would like to share this possible approach with those of you who would be so kind as to volunteer. If any of you have a better idea, please feel free to share your wisdom. I am just hopeful that something can be done to solve this problem. My ways to be contacted are by phone: 1-209-533-9174 or E-mail - jgullion25@sbc-global.net .

WHAT GSMOL DOES FOR YOU?

By Robert Hites, Associate Manager for Regions 4, 11 and 14

As I travel throughout Northern California, into mobile/manufactured home communities, we as Managers have found a startling revelation that most homeowners do not know what the MOBILEHOME RESIDENCY LAWS (MRL) are. The folks just don't take the time to read them, the folks don't seem to want to know their rights under the Civil Codes for mobile/manufactured homes

in California. When they are given a copy that is readable and not all wadded up and wrinkled they are amazed at the amount of information that is readily available to them. You must read these laws. These laws were written to help protect you from those that want to create undue hardships upon you. If you read your MRL, and are able to make a conscious decision about certain aspects of your lifestyle it makes your life so much easier. I, personally enjoy helping people. I don't mind doing that as I believe that it is better to give than to receive. We at GSMOL helped 600 people in the Northern California Regions of 4, 11, and 14 in the months of June/July. We have walked the walk and talked the talk and provided assistance where assistance was needed. We have gained a Chapter, we have gained over 25 new members and we will continue to provide quality service to our members and to the mobile/manufactured home communities. Try us, you will find that you will like us.

SUCCESSSES IN REGION 4

From Anne Rucker, Region 4 Manager

1. Chico Mobil Country Club's Kathleen Hall successfully built a campaign to force her park owner to remove a hazardous tree in front and finally grind the stumps of two trees in back which he had butchered the previous year. She built a complete documentation file of correspondence for her GSMOL regional manager and for the legal opinion of Bruce Stanton, GSMOL attorney.

2. Several years ago CMCC's "Little Rose" sought help from GSMOL volunteer Melinda Rayford for a tree, the roots of which were actually lifting her house. Our park owner had said "That's your tree, your problem." Melinda contacted the HCD Ombudsman who inspected and gave the park owner 30 days to remove the tree.

NEWS FROM NORTH SANTA BARBARA COUNTY

From Ollie Kirby, Region 8 Associate Manager

"There's a lot to feel good about in NORTH SANTA BARBARA COUNTY. Even in a "down economy" existing GSMOL Chapters are working hard on MEMBERSHIP and are making meaningful progress.

CHAPTER 1115 in Buellton has instituted a policy of offering memberships to new residents (subsidized by the Chapter).

CHAPTER 1420 (Casa Grande - Santa Maria) is working diligently on recruiting, and ways to show appreciation and recognition to long-time members. Morale is good and there is a lot of enthusiasm there.

CHAPTER 0264 (Orcutt Ranch) is interested in workshops to stimulate their membership in their recruiting efforts.

CHAPTER 0227 (Del Cielo - Santa Maria) is working closely with the recently reactivated Homeowners Association. This GSMOL Chapter (which dates back to 1968) currently enjoys a membership of about 62% of eligible spaces!

North County has also sent letters to 5 mobilehome park residents in two different parks in Lompoc (a city of 41,000+ where we currently have NO GSMOL Chapters. But I am determined we will have. I won't rest until that happens

As I said at the Convention, if you don't have MEMBERSHIP you aren't doing your job. And as Bob Markley said to me on the phone recently, it has to be done at the grass roots level. There cannot be an "Ivory Tower" approach to this problem. We people out in the field have to meet this problem head on and make progress. **THAT IS WHERE THE RUBBER MEETS THE ROAD!**

REGION 8 CONFERENCE/ SAN LUIS OBISPO COUNTY

By GSMOL member Cindi Grove

On Saturday, May 22, 2010, San Luis Obispo Mobilehome Residents' Assistance Panel (SLOMAP) hosted a GSMOL Region 8 Conference for the northern half of the area. Marie Pounders, President of SLOMAP and Co-Manager for Region 8, introduced the one hundred plus participants to SLOMAP, in its 2nd year as an advocacy group for all mobilehome residents in the county. SLOMAP is made up of park representatives from the five geographical areas of SLO County and the cities of Atascadero, San Luis Obispo and Morro Bay. A new bi-lingual representative, Ricardo Teodocio, has just been appointed. Since 2007, SLO County has passed a MHP Conversion Ordinance which provides strong protection for residents in case of a possible park conversion or closure. The idea for SLOMAP originated during the time period residents were working with county officials on that ordinance.



Hilda Zacarias and Jim Burr

Special guest speakers included GSMOL President Jim Burr; GSMOL Corporate Attorney, Bruce Stanton; Assembly District #33 Candidate, Hilda Zacarias; SLO Assistant City Attorney, Andrea Visveshwara; CRLA Attorney, Michael Blank; Senior Legal

Services Project Attorney, Gigi Sawyer; and our very own Legislative Snoop, LAT Co-ordinator for SLO County, "the mouse is mightier than the pen," Al Strunk!

Additional GSMOL officials present were: Craig Hull, Co-Manager of Region 8 and New Zone B-1 VP, Ventura County; Barbara Tolerton, Assistant Manager; Ollie Kirby, Associate Manager, Northern Santa Barbara Mobilehome Owners Team, Ron Faas, Legislative Action Team Coordinator for NSBMHT. Ollie introduced her Board of Directors for NSBMHT.

The Theme of the Conference was fitting: Today's Challenges Bring Tomorrow's Successes! With mobilehome residents' continuing struggle with maintaining the affordability of their homes, these words are very meaningful. Each year brings new challenges and each speaker addressed various aspects of this topic. Jim Burr described the importance of establishing realistic goals and objectives for GSMOL so the organization can remain viable. Hilda Zacarias listed motivational specifics of how we can actively increase our power by making our voices heard in numerous ways, but that COMMUNICATION is the key. Al Strunk shared how everyone with a computer can be involved with the LAT and how useful and powerful a tool the Internet can be. The Grass Roots level is of primary importance for getting the word out and the LAT is the most effective way to do that.

Both Jim Burr and Al Strunk spoke to the concern of VOTING THE ISSUES, not the party line. The time has come for us to recognize that we must prioritize what the most important thing for most seniors and working

families is today and usually, the answer to that is...MY HOME. There is so much strife and division among the two parties both in Washington and in Sacramento right now that little is being accomplished. We must rise above that and help elect legislators who will support rent control, affordable housing, and the needs of seniors and working families – no matter what party they represent...the future of our HOMES depends on it!!

The culmination of the Regional was a Legal Q & A Panel with all of the attorneys including Bruce Stanton taking questions turned in from the audience. Everyone learns so much from this.

Just at the end of the Conference, candidate for the Senate, John Laird, dropped in for a surprise visit and spoke briefly. Since few people in our area had ever met him, we considered it quite an honor that he took time out of his day to visit us.

**Does Your
Chapter Have
a
GSMOL
Training
Manual?**

**If not, contact the
Home Office at
800 888-1727**

HOMEOWNER NEWS

MiraMar, a quiet community of seniors, in Oceanside

By Jim Sullivan, Chapter #389 President

MiraMar, a quiet community of seniors, in Oceanside, CA that for the past three years has been the battleground for local Park Owners' attempt to destroy Rent Control in Oceanside, and to surreptitiously modify the homeowners' rental agreements by changes in the Park Rules.

Like many mobilehome parks for folks over 55, MiraMar was a pleasant place to live; we had no organized resident association. Our neighbors came and went with pleasant smiles, but no one knew the others name. Sleepy, peaceful, happy, we were the epitome of "ignorance is bliss".

MiraMar's story has evolved over three years. This has taken its toll on the health, wealth, and happiness of our neighborhood by constant stress and financial obligations. Tower (Park owner) has forced us to take action to protect our homes, our investments, and our chosen way of life in retirement. What we have done may be a model for others to consider when faced with similar challenges.

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October 31, 2008, Halloween, was the day we all understood that we faced a disaster, a hideous plot. Tower had sent letters to the tenants of MiraMar, demanding increased rents and dictating new policy that destroyed the resale value of our homes. The results of send-

ing these letters have been different than Tower intended. Today we have a HOA that has 95% participation from the community. We have faced down one of the most preeminent mobilehome law firms in California, and we are winning. More importantly we have become a community with nearly everyone participating together in social, political, legal and financial tasks that have pulled us together and made us not just neighbors, but friends.

Continued on page 13

VENTURA MOBILE HOME RESIDENTS COUNCIL

By Craig Hull, Zone B-1 Vice President

Hi there. My name is CRAIG HULL and I am president of the VENTURA MOBILE HOME RESIDENTS Council as well GSMOL'S NEW ZONE VICE PRESIDENT of ZONE B-1. I am introducing you to our group to show you that there are other types of groups who support GSMOL. We are a group of 9 mobile home parks, hopefully adding 2 more, which each park has delegates to the group. There are a maximum of 2 permanent delegates and 2 alternates from each park. The way we fund our group is that we say that each park has to pay .50 for each space to belong to our group. So if you have 72 spaces then it cost your park \$36.00 to be a part of our group. The parks which have an HOA usually pays for their park to belong, but in some instances where there is no HOA then either a few people pay, one person pays to join or even if need be we don't turn any park away if they want to be involved. We also have a GSMOL person in our group who reports on legislation and what is going on in GSMOL. I at one time was doing that job before I got really involved with GSMOL Then we had a few volunteers doing it, but now that I have an Assistant Manager who is also a delegate in our group she is doing it. Her

name is Barbara Tolerton and she does a wonderful job. Our group was started because back in the 80's we were planning our rent control here in the city of Ventura. We have been a strong organization ever since. We have informative speakers come to our meetings almost every month. We have everything from city council members, board of supervisors, senior organizations, etc to come to speak to us. The VMRC mission statement is:

"The purpose of the VMRC shall be
a. to be cognizant of applications for rent increases submitted to the city by the owner of each park and to offer support and assistance in presentations to the Rent Review Board on behalf of any park Home Owners Association requesting such assistance.

b. to study exiting ordinances and provide proposals for revisions for change more favorable to mobile home owners and to take what ever action necessary to bring about such changes.

c. to take action in the political arena in the state, county and city for the benefit of mobile home owners.

Also we have a new committee with the city so that we get informed between us and the city about rent control problems and current and proposed condo conversions. We started this committee with the blessing of our city council. They were 7-0 in favor of this committee. This committee consists of the 4 board members, a GSMOL person, a person from a park that is currently in process of being condo-converted, city attorney, city planner, and city rent control liaison.

If anyone in the state wants to know more about our organization and wants help in starting one I will get you to the right person to talk to. My information is on the Board of Directors page.

MIRAMAR, A QUIET COMMUNITY OF SENIORS, IN OCEANSIDE

Continued from page 12

Tower Management and their legal team, Hart, King & Coldren, attacked our tranquility, and woke us up to the stark understanding of their greed, the politics of big money, and the harsh realities of our legal system.

Tower had a plan, while we just wanted to have a life in our homes. Their strategy was put in place years before we realized what was in store for us. Changes came slowly, deliberately, and with a carefully prepared game plan. First, were annual changes to the Park Rules in 2007, which sought to unilaterally modify our individual contracts for tenancy. Next, in 2008, was a politically based attempt to change to the Park's zoning and land use designation, which would allow for high rise condos on the land occupied

by our homes, the Oceanside "Vision Plan." Then, a well orchestrated series of letters were sent to the residents. These were the basis for breaking Rent Control, and with the goal of emptying the park of residents without the need for compensation to the homes owners. 70% of the tenants were told their rents would be increased by 142%. Half of the home sites were designated as spaces that could not be sold in place, thereby destroying the resale value and effectively taking 100% of the homeowners' equity, and giving/transferring that equity to Tower.

We reacted in unity, we banded together. The first meeting was a small group of concerned folks, living in close proximity, but really only strangers with a common problem. Then a general call went out to all within the Park; to meet and discuss forming an association. A decade earlier GSMOL had been active in our park, and we revitalized the charter. Tim Sheahan, then President of GSMOL and Frank Merrifield of OHMA, Oceanside's citywide mobilehome alliance both came and spoke to us and helped guide our leadership in the first days of organization. The result was the association we have today and may be seen more completely on our website, www.miramar-hoa.com.

The results have been a long story of hard work, personal commitment and

group perseverance that has yielded a victory for mobilehome owners everywhere. In dashing Tower's bid to raise the rents and seize assets we have given hope to our neighbors and to mobilehome owners throughout California. This is an on-going fray, and there may be another year of intense battle. We hired Bob Fuselier, of Kaloogian & Fuselier in Carlsbad California, to represent us and this was the beginning of the battle. Our lawsuit which has seen three different judges, a mid-case appeal to the Appellant Courts, and delays, motions and expensive detours in the legal system, all skillfully done as a strategy defined by HKC.

June 2010, the superior court judge in our case signed the order striking down the rent increase. This was based not on Oceanside's rent control ordinance, but on the CA Mobilehome Residency Law. The tenets of the onerous rental contract which the residents had to sign, and which did not allow for subletting of our homes and property was the key to this victory.

Tower has used a strategy against our residents that was outlined in detail by a HKC attorney speaking to a group of mobilehome park owners in 2004 in: a Speech from Proceedings of the Eighth Annual New York Conference on Private Property Rights (2004). HKC counseled mobilehome park owners with the following advice as to how to defeat and break the residents in their parks: "Third, is actually make it expensive. Litigation is a strategy that works especially when cities are strapped for money. That often brings them to the table. It has worked for us. It has worked even in places like New Jersey where we have challenged rent control. In essence, what happens is that the cities just get tired of fighting litigation. They can't afford to protect the small group's interest and bust the budget ". We came face to face with the property owner's implementation of this credo, and why it has been so expensive to seek justice. When your opponent's strategy is to win by making the legal system a "War of Attrition" rather than a "Search for Justice," it's no wonder why even cities and not just homeowners fear the expense of enforcing the law in Court. We have gotten tired and felt beaten down. We have been

forced to the edge of not being able to afford to move on. But after all of this, we have prevailed. How we have done this is the real success story for our Park.

GSMOL provided a model for our leaders, and with local support from the City Council, City Staff and OHMA we managed to get past our personal idiosyncrasies and work together to form a strong, well run and successful association. We have committees for each of the specific function areas that we face. The diverse career backgrounds of our members provide broad layers of experience, and there may not always be agreement on specifics, but we work together to overcome challenges and succeed with the task at hand.

Funding is an issue we face daily and if anyone living in a mobilehome would like to help us with these issues that have statewide consequences, please contact us and contribute to our Legal Fund. Our Treasurer will send you a receipt, and because this has all been a violation of the California Mobilehome Residency Law, at the conclusion of the trial the defendants will pay legal fees and a check can be sent back to donors for their contributions. Please see our website for details.

This has been a journey that continues forward today. There will be future installments on our story. The issues of rent control and property rights for homeowners in a manufactured housing setting are not settled, or well defined in law for the benefit and protection of the homeowner. The difference is that now we face these issues together, as a chapter in GSMOL, as a force to be reckoned with in our community, and as friends that that live together in this very unique world, the Mobilehome Park.

Jim Sullivan President
MiraMar Mobile Community
Homeowners Association, Inc.
GSMOL Chapter #389
900 N Cleveland St, sp 159
Oceanside, CA 92054
760-758-1399 home / fax
909-910-0520 cell
MiraMarHOA@aol.com

LEADERSHIP TRAINING COMING

by State Secretary Mary Hahn

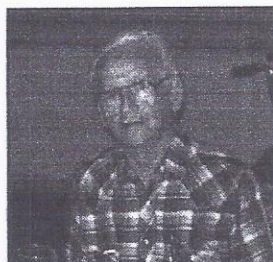
Leadership Training will soon be coming your way. GSMOL needs trained leaders and plans are being made to fill this need. There are many ongoing problems in the mobile home community, and leadership training can help GSMOL members recognize and solve problems. The present situation leaves chapter officers and members with the feeling they are working alone to keep a chapter going with no help. Communication with fellow leaders in other areas, is essential.

Training is needed by chapter officers and members for a better understanding of how GSMOL is working for its members. This is where leadership training comes into the picture. Once you have had this training, you will have a better understanding of how to help the members in your chapter and others. You will be able to use this training in the every day work of chapter officers. Classes will be held to explain duties and responsibilities; no experience needed to attend.

After training you will not be left high and dry. Help will be available as close as your telephone. There are many positions available for leadership; chapter officer, region, assistant and associate managers; and after training you will be able to fill one of them. You may be able to identify members who you believe will be good candidates for these positions or some other position where their expertise can be used and encourage them to take the training. GSMOL has a wealth of experienced members who have worked in many occupations. Leadership training will help them to step up and use their expertise to help other members.

Look for more information on when LEADERSHIP TRAINING in The Californian or from your Area VP.

Farewell RAY MCKELLIGOTT



Ray McKelligott, Associate Manager for Region 8, passed away peacefully in his sleep over the July 4th weekend at his home in Blue Heron Mobilehome Park in Morro Bay. Ray fought for the country he loved by serving the U.S. Navy in World War II. After the war, he worked in manufacturing management in Los Angeles. He and his wife, Marion had seven children in their combined family. After he retired, he found his way to beautiful Morro Bay. Ray joined GSMOL in 1989. He quickly became actively involved in helping other parks as well as his own and he became a walking encyclopedia on the Mobilehome Residency Law. He was an instrumental player on the Morro Bay Mobilehome Park Task Force which was responsible for updating and amending the Morro Bay Rent Control Ordinance. In May of 2003, he was appointed a GSMOL Associate Manager, one of only two for the entire Region 8. He traveled all over San Luis Obispo County and was frequently called by other counties, too. He worked tirelessly to support mobilehome residents and their legal rights. When the new county-wide group, SLOMAP, was formed in the summer of 2008, Ray served as a Spe-

cial Consultant because of his extensive knowledge and background. In a recent interview with Morro Bay City Attorney, Rob Schultz, Mr. Schultz said of Ray, "I always knew with Ray on a committee that everyone would be treated fairly. He was willing to hear all sides of a story". Farewell, Ray, you did a magnificent job and will be remembered fondly by many, many friends and residents throughout Region 8!

Opportunities to Serve!

GSMOL can always use talented, hard-working people with a team spirit in serving our membership. Do you have special skills or just a desire to help in our cause?

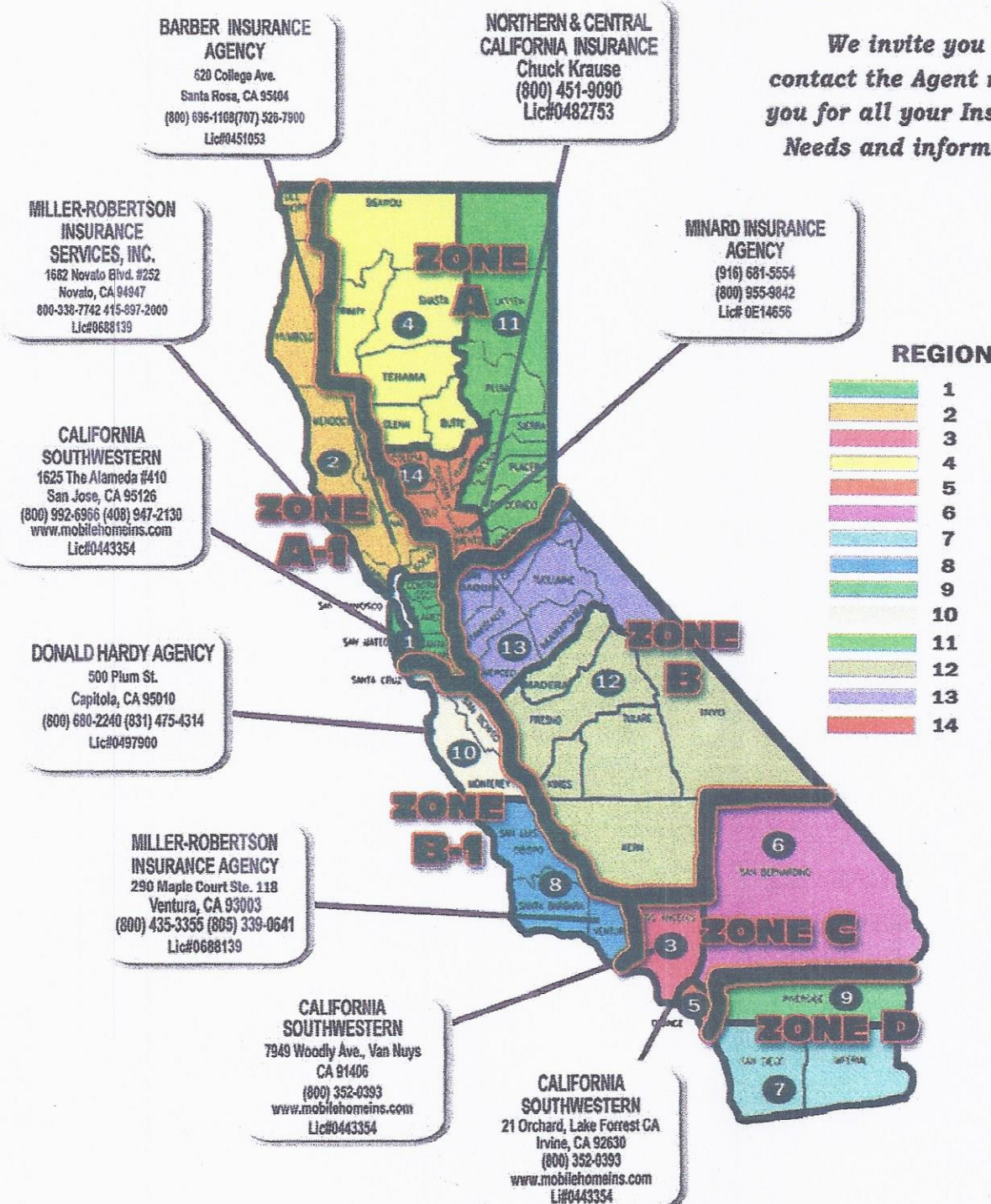
In most cases, you would work with others to focus on specific tasks. It helps to have Internet access, but that is not required.

We currently could use help on website development and maintenance, editing the Californian, developing advertising in the Californian and website, membership and other committees, leadership in the field and tele-marketers to call members to remind them to renew their memberships. Check with your GSMOL leaders from your area or the GSMOL Home Office to inquire about current opportunities. We need your help and bet you will be glad to join our team of volunteers!

With DECADES of experience as MOBILEHOME INSURANCE SPECIALISTS, we are here to ADVISE you of what is AVAILABLE and ASSIST you in obtaining WHAT IS BEST for YOU personally. Contact the nearest agent and see for yourself!

INSURANCE AGENTS EDUCATION NETWORK

We invite you to contact the Agent nearest you for all your Insurance Needs and information!



FIVE FOR FIVE REWARDS PROGRAM

APPLICATION FOR REWARD

(New members only - no renewals)

Mail or fax completed form to the home office, Fax No. (714) 826-2401

Please fill in new members' names, park, space number, and when they joined, below and mail or fax to the home office. After verifying by the home office, a \$5 reward check will be mailed to the individual or chapter named at the bottom of this form. Please send in all new membership applications as soon as you receive them. Do not hold them for this program. This program only requires that you keep track of who they are, and list them on this form.

(More than one person living in the same home and paying one membership dues count as one member for this program.)

PLEASE PRINT LEGIBLY

NEW MEMBERS' NAMES

PARK NAME

SPACE NO. MONTH AND YEAR JOINED

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Please send \$5 reward check to:

_____ name

_____ address

(Note: If the reward is going to a chapter's treasury and the chapter does not have a bank account, the check should be made out to and mailed to a chapter officer. The officer can then cash the check and put the money into the chapter treasury.)

use this Application to give a "Gift of Membership" to a non-member!

MEMBERSHIP APPLICATION

GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE, INC. 800/888-1727 714/826-4071



- ☐ **ONE-YEAR GSMOL MEMBERSHIP for \$25**
- ☐ **THREE-YEAR GSMOL MEMBERSHIP for \$70**
- ☐ **ONE-YEAR ASSOCIATE MEMBERSHIP for \$50**

(Associate members do not own manufactured homes. They do not have voting rights and cannot hold office in GSMOL.)

Comments (For Office Use):

First Name	Initial	Last Name
Spouse/ Second Occupant		
Park Name	Park Owner	MGMT. Co.
Street Address		Space Number
City	State	Zip Code
Daytime Phone Number		Alternate Phone Number
Email Address		
Signature		Membership Recruiter (if applicable)

- ☐ **New Member**
- ☐ **Renewing Member**

GSMOL Chapter # _____

Check # _____ / CASH

You can also contribute to any of the following GSMOL dedicated funds:

DEFENSE IN THE COURTS \$ _____

DEFENSE AT THE CAPITOL \$ _____

Disaster Relief Fund \$ _____

Enforcement Legal Fund (ELF) \$ **10**

DETACH AND KEEP FOR YOUR RECORDS Thank you!

Date

Amount

Check #



FILL OUT AND RETURN THIS FORM ALONG WITH YOUR CHECK TO: GSMOL, P.O. BOX 876, GARDEN GROVE, CA 92842