

THE  
**CALIFORNIAN**  
GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

Volume 46 Issue 4 --GSMOL-- Advocating for Homeowner Rights Since 1962

July/August 2011

# Oceanside Homeowners Strike Back!

(see Page 11)



Local leader and  
GSMOL member,  
Bob Markley,  
leads an energetic  
group of homeowners  
outside Oceanside  
City Hall

**How Did Your Senator  
Vote on SB 444?  
(see Page 4)**



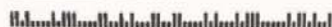
What are those extra numbers on the address label?

(MEMBERSHIP #) (EXPIRATION DATE M/Y)

Periodical Dated Material

155111 1011  
\*\*\*\*\*CAR-RT LOT\*\*R-003

JOHN DOE  
1 CAPTIVE LANE SPC 5  
SOMEBHERE, CA 99999



## THE CALIFORNIAN (USPS 898-320)

Official bi-monthly publication of the  
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Owners League, Inc.

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

# President's Report



**Jim Burr, GSMOL  
State President**

## **What You Have Always Wanted to Know About HCD Code Enforcement - And Have Been Afraid to Ask...**

I have tried to direct past President's Reports to those members who rely primarily on the Californian for news, perhaps some educational tips and to be informed about important aspects of the manufactured home lifestyle. We are aware that over half of our members are not computer or e-mail active and rely primarily on the Californian or a nearby Region Officer to stay current on issues important to you. Actually, most parks have no GSMOL Chapter or active homeowner association to represent the best interests of the homeowner. Therefore, we realize that the newsletter is very important to you.

We will dedicate this message to a very important, yet seldom mentioned service provided by the *STATE OF CALIFORNIA, DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT*, or more simply stated, "HCD". As manufactured home owners, we fall under the Mobilehome Parks Program of their Division of Codes and Standards. It is important to realize the differences and enforcement authority between the laws and regula-

tions governing parks. The Mobilehome Parks Act is contained in the Health and Safety Code and is state law. These are laws enacted by the legislature. The Act also gives HCD the authority to adopt regulations to "implement, clarify and make specific" the laws. Those regulations are contained in the California Code of Regulations, Title 25 Chapter 2. Additionally, and it should be clarified separately, there is the Mobilehome Residency Law. The MRL is part of the California Civil Code, which is also enacted by the Legislature.

HCD has the role of acting like a "Building Department" within parks. That is to say issuing permits and performing inspections. HCD has no authority for enforcement of the MRL. It is not the agency to call if you have a complaint about a park manager, rent increases, meeting in clubrooms and many other protections homeowners have under the civil code. The enforcement of the Mobilehome Residency Law must be addressed by the person affected through the judicial process in a civil court. There is no agency of the state that has the legal authority to enforce the provisions of the Civil Code. Please don't feel intimidated by the regulatory rhetoric. In this message and subsequent articles, we will help your understanding of the issue and remove some of the surprises.

HCD currently has 41 inspectors throughout the state who are responsible for the routine inspection schedule that includes full inspections of five-percent of the state's manufactured home communities each year. They also respond to complaints received through the Ombudsmen's Office with the priority given to the severity of the complaint. Nearly all complaints come from manufactured home owners in space rent parks. Additionally, these inspectors

approval alterations to manufactured homes and inspect Employee Housing facilities (migrant worker camps).

When doing scheduled inspections or responding to homeowner complaints, the field inspectors inspect the lots and the outside of homes as well as the common areas, infrastructure, and other aspects of the park. For example, they look for unsafe porches, hand railings, electric cords, and more that are the responsibility of the homeowner to bring into compliance. Please be aware of this when filing a complaint relating to a park or common area issue. This should not discourage the homeowner from filing a complaint involving the park, because GSMOL feels a "Safety-First" policy should be practiced whether the issue falls under the park or homeowner's responsibility.

If you are given a notice for a violation, you will find HCD to be reasonable by providing sufficient time to make the changes, even granting extensions in hardship cases. The correction times for violations cited during full park inspection are mandated by the legislation. You are given 60 days after receiving the notice and an additional 30 days after a re-inspection.

We intend to have future articles in the Californian on the subject that will further clarify the differences between the Health & Safety Code as enforced by HCD and the Mobile Home Residency Law (MRL), a civil code enforced through the civil courts or through negotiations with your park manager. Please see the list of Region Officers and the Board of Directors listing elsewhere in this issue. These folks are trained to advise you on how best to address your concerns and the appropriate agency to use.

We sincerely hope this helps and watch for more in upcoming issues of the Californian.



# Capitol Report

-By GSMOL Lobbyist Brian Augusta

As many readers now know, SB 444 (Evans) failed to win passage in the state Senate earlier this year, falling 3 votes short after a hard fought battle involving GSMOL and local government allies. The bill would have provided greater protections for homeowners when a park owner proposes to convert a park to condominiums.

While GSMOL gained some new support among members of the Senate, others waived, and in the end, the votes were simply not there. Under the legislature's rules, the bill can no longer move forward; it is dead. While GSMOL and its allies fell short, there were encouraging signs for future legislative efforts in the renewed grassroots activity among GSMOL members.

While the legislative work on condo conversions is stalled for this year, it is critical that GSMOL members ensure that their representatives in the Senate hear from them on this issue. If they supported GSMOL we should thank them; if they did not vote with GSMOL on this issue, we need to let them know how important this issue is for mobilehome owners.

To the right is a list of each Senator, and how that person voted on SB 444, accompanied by their contact info. Take the time now to reach out to your Senator by phone or with a brief letter to share your views with him/her on how they voted. Note that a "no" vote and an "abstain" are the same; abstaining from voting on SB 444 has the same affect as voting no. **When reviewing the voting record of your Senator, ask yourself the question, "Based upon this vote, does my State Senator deserve my support in the next election?"**

## SB 444 State Senate Vote Results

District	Name	Vote	Phone Number
13	Alquist	AYE	916-651-4013
36	Anderson	NO	916-651-4036
14	Berryhill, T	NO	916-651-4014
15	Blakeslee	NO	916-651-4015
30	Calderon	NO	916-651-4030
12	Cannella	NO	916-651-4012
10	Corbett	AYE	916-651-4010
34	Correa	ABSTAIN	916-651-4034
22	de Leon	AYE	916-651-4022
7	DeSaulnier	AYE	916-651-4007
31	Dutton	NO	916-651-4031
37	Emmerson	NO	916-651-4037
2	Evans	AYE	916-651-4002
18	Fuller	NO	916-651-4018
1	Gaines	NO	916-651-4001
9	Hancock	AYE	916-651-4009
35	Harman	NO	916-651-4035
24	Hernandez	NO	916-651-4024
29	Huff	ABSTAIN	916-651-4029
39	Kehoe	AYE	916-651-4039
4	La Malfa	NO	916-651-4004
3	Leno	AYE	916-651-4003
28	Lieu	AYE	916-651-4028
21	Liu	ABSTAIN	916-651-4021
27	Lowenthal	AYE	916-651-4027
32	Negrete McLeod	AYE	916-651-4032
20	Padilla	AYE	916-651-4020
23	Pavley	AYE	916-651-4023
26	Price	AYE	916-651-4026
16	Rubio	AYE	916-651-4016
17	Runner	ABSTAIN	916-651-4017
11	Simitian	AYE	916-651-4011
6	Steinberg	AYE	916-651-4006
19	Strickland	NO	916-651-4019
40	Vargas	ABSTAIN	916-651-4040
33	Walters	NO	916-651-4033
5	Wolk	ABSTAIN	916-651-4005
25	Wright	NO	916-651-4025
38	Wyland	NO	916-651-4038
8	Yee	AYE	916-651-4008

To write to YOUR senator, simply address it as follows:

Senator\_\_ (name)\_\_\_\_  
State Capitol  
Sacramento, CA 95814

### Sample Letter for Senator Who Supported SB 444

Dear Senator \_\_\_\_\_:

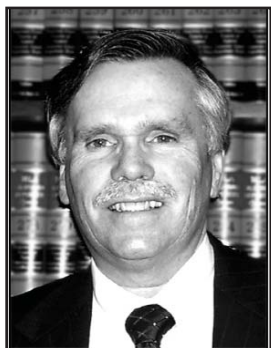
I am a manufactured-home owner in your district, and I am writing to thank you for your recent vote in favor of SB 444 (Evans). We desperately need legislation to help protect homeowners from unfair conversions and to restore balance to the law. Thank you for supporting us.

### Sample Letter for Senator Who Did NOT support SB 444

Dear Senator \_\_\_\_\_:

I am a manufactured-home owner in your district and I am writing to express my disappointment that you did not vote in favor of SB 444 when it was on the Senate floor earlier this year. This legislation would have helped restore fairness to the law and protect my investment in my home. I hope you will reconsider your position in the future.

# CAN A PARK OWNER REQUIRE THE REMOVAL OF A MOBILEHOME FROM THE PARK AT THE TIME OF RESALE?



By: Bruce Stanton, Attorney

**ABOUT THE AUTHOR: MR. STANTON HAS BEEN A PRACTICING ATTORNEY SINCE 1982, AND HAS BEEN REPRESENTING MOBILEHOME RESIDENTS AND HOMEOWNERS ASSOCIATIONS AS A SPECIALTY FOR OVER 25 YEARS. HIS PRACTICE IS LOCATED IN SAN JOSE, AND HE IS THE CORPORATE COUNSEL FOR GSMOL**

For most mobilehome residents, the investment which they have made in their homes is their most significant asset. It stands to reason that when a homeowner makes the decision to sell their home, it is vital that the best possible sales price be received, so that the investment can be protected. If a mobilehome has to be removed from the park as a condition of resale, it will likely be worthless. To have any value, it must be sold "in place", in its rented space, where it is surrounded by the common areas, the accessory structures and landscaping that has been improved by the homeowner. The ability of the homeowner to sell the home "in place" thus becomes paramount.

As manufactured homes age, they become less desirable to park owners, who might prefer that older single or double-wide homes be removed in favor of

newer models. The ability to re-stock or transform the park will undeniably add value to the park owner's property, and the resulting vacancy at the space will usually allow the park owner to raise rents under a local rent control ordinance. These are the two most common "business" incentives for a park owner to require removal of a home at the time of resale. Other reasons would have to do with health and safety, where a home is legitimately a code violation or in significantly rundown condition. Due to these incentives, residents need to be aware of their rights under the Mobilehome Residency Law (MRL), and need to know when or whether a park owner can require removal of the home. As homes age, an increasing number of selling residents are being informed that their buyer must remove the home from the park as a condition of resale. This has the effect of making the home worthless.

So the question is this: When, and under what conditions, can a park owner require the removal of a home from the park at the time of resale? The answer is: "Very seldom, if ever", due to the protections contained in the MRL.

The applicable MRL section is Civil Code 798.73, which governs the conditions upon which a mobilehome can be removed from the park at the time of sale. Beginning in 1973, the legislature began to regulate the ability of a park owner to require removal of the home; what mobilehome residents began calling "resale evictions". Early laws centered upon the age of the home, and by 1978 what was commonly referred to as the "17-year rule" was put in place. This placed any home which was more than 17 years old in danger of being removed from the park. The legislature noted the inequities of the law, and the immobility

of mobilehomes, and in 1982 a new law was passed which became the predecessor of what exists today. The Assembly analysis found that there were good reasons for doing away with the 17-year rule:

**"A person with a perfectly safe, well-maintained mobilehome who wishes or needs to sell often cannot, simply because the mobilehome is of a particular age and size. The consequences are not positive: people are forced to stay in the same park, even though rent increases may be more than they can bear; the owner's equity in her or his mobilehome is reduced to zero because the home is unsalable without the park space, and perhaps worst of all these habitable housing units are sometimes destroyed simply because they cannot be sold and it is uneconomic to move them. Also, park managers have sometimes bought these homes at vastly reduced prices after refusing transfer. [The 1982 Bill] strikes an appropriate balance between park managers and tenants. It limits the resale eviction rule to those mobilehomes that have health and safety defects or are significantly rundown. This permits the removal of uninhabitable mobilehomes while preserving those that are safe and well-maintained, without regard to arbitrary age or size standards.**

The legislative intent of this new law was clear. No longer would a home be required to be removed from the park simply based upon its age. Instead, an objective finding that the home was not safe would be required, and the burden of proving this would fall solely upon the park owner.

*Continued on page 6*

# CAN A PARK OWNER REQUIRE THE REMOVAL OF A MOBILEHOME FROM THE PARK AT THE TIME OF RESALE?

*Continued from page 5*

Thus, what is present day 798.73 was passed into law. While there have been a few alterations since, the current law has kept in place the basic test which now must be met before any home can be removed at the time of resale. A home can never be forced to be removed unless:

It is not a "mobilehome" as defined by law (i.e. it is a camper or RV unit that is too small to qualify);

It is more than 20 years old (or more than 25 years old if manufactured after 9/15/71), is 20 feet wide or more and does not comply with Health and Safety Codes;

It is more than 17 years old (or more than 25 years old if manufactured after 9/15/71), is less than 20 feet wide and does not comply with Health and Safety Codes;

It is in significantly rundown condition or in disrepair as determined by the general condition of the mobilehome and its acceptability to the health and safety of the occupants and to the public, exclusive of its age. The management must use reasonable discretion in making this determination, and has the burden of proving the condition.

Management must first provide the homeowner with a written notice specifying the condition that permits its removal.

If the home violates health and safety in some way, then it stands to reason that the park owner may be able to require removal at time of resale. Unsafe homes should not be marketed to unsuspecting buyers. Nor should they be allowed to remain in the park if they could affect the safety of other residents. Such a finding would usually require an inspection by the Department of Housing, or some other licensed inspector, to confirm the violations. The issue is black and white; i.e.

either there is a code violation or there is not. If the violations cannot be corrected, then perhaps removal is warranted.

The most suspect demands for removal are typically based upon number (4) above; i.e. that the home is "significantly rundown or in disrepair". This is a subjective standard that management may try to allege in support of its business incentives to have the home removed. In my experience, this ground is almost NEVER successful. This is because the park owner has the burden of proof, and must use "reasonable discretion" in making such a finding. Any resident who receives a written notice quoting this ground should immediately get their own inspection. If a licensed inspector finds that the home is in good or habitable condition with no code violations, it shall be a very tough burden to meet for the park owner to allege "rundown" or "in disrepair". Usually the resident can defeat such a demand simply by responding properly. This may require hiring an attorney if the park owner will not back down. The selling resident should do whatever it takes to protect the investment. This is a subjective ground for removal which may depend upon expert opinion, so find a good inspector. If the park will not back down and allow the in place resale, it could be liable for damages incurred by the selling resident for any lost sale or the proceeds thereof.

In conclusion, it is the condition of the home, and not the year of its manufacture, which is the important factor to be considered. If a selling homeowner is served with a written notice that demands removal of the home, it is important to identify the specific conditions alleged, have them inspected and then repaired if at all possible. Then provide this evidence to management, and request that they re-

tract the removal demand in writing. Should they fail to do so, the resident should contact an attorney as soon as possible.

## Santa Barbara County Releases Draft MHP Closure Conversion Ordinance

By a unanimous vote, the Santa Barbara County Board of Supervisors on March 1 directed county staff to begin drafting a new mobile home park closure conversion ordinance and report back in six months. Staff expects to release the draft ordinance in early September. After a two-week review period, a public meeting to receive comment will be held in late September.

**What is a MH park closure conversion?** A MHP closure conversion is a change of zoning and land use from mobile homes to some other use like commercial or industrial. This differs from a MHP subdivision or condo conversion which is a change in ownership of space units, where the park owner sells the spaces to the resident home owners, **Why is this ordinance needed?**

Protect affordable housing; Mobile homes are major source of affordable housing with 2,346 spaces in NINETEEN MH parks in unincorporated Santa Barbara County.

Current state law does not adequately protect residents from closure by the park owner. It is vague and includes only possible options for protections instead of clear, specific requirements for mitigating negative impacts on displaced residents.

Park closure would be very disruptive emotionally; and result in loss of community.

*Continued on page 9*



# CANADA PHARMACY AFFILIATION

Are the rising costs of your prescription drugs driving you crazy? GSMOL has had a long-standing affiliate relationship with Canada Pharmacy, a large well-known online mail-order pharmacy based in Canada.

Despite the implementation of the Medicare Prescription Drug Benefit Plan (Part D), many GSMOL members have continued to enjoy significant discounts from Canada Pharmacy compared to purchasing prescription drugs from local Pharmacies.

The principal reasons are that generic forms become available much sooner in Canada, many drugs available in Canada are not covered by Part D discounts and “overhead” is much less for mail order businesses. Another benefit is that both new customers and existing customers referring a new customer to Canada Pharmacy will receive a \$50 credit on a future order.

We strongly encourage you to consider ordering your prescription drugs from Canada Pharmacy. Many prices are dramatically lower than suppliers in the U.S.! You can get price quotes for specific drugs by calling toll-free 1 (800) 891-0844 or visiting their website at [www.CanadaPharmacy.com](http://www.CanadaPharmacy.com) to see how their prices compare to what you are currently paying. Check it out--you might get a great value and GSMOL will receive a commission on every sale.

## Canada Pharmacy Prices Compared to Walgreens

Product	Walgreens	Canada Pharmacy	Savings
Lipitor 40mg 90 tablets Brand	\$411.97	\$213.00	\$198.97
Lipitor 40mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$114.00</b>	<b>\$297.97</b>
Celebrex 200mg 90 tablets Brand	\$381.97	\$145.00	\$236.97
Celebrex 200mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$61.00</b>	<b>\$320.97</b>
Effexor XR 150mg 84 tablets Brand	\$486.97	\$225.00	\$261.97
Effexor XR 150mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$86.00</b>	<b>\$400.97</b>
Flomax 0.4mg 90 tablets Brand	\$390.82	\$139.00	\$251.82
Flomax 0.4mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$45.00</b>	<b>\$345.82</b>
Lamictal 200mg 90 tablets Brand	\$606.14	\$345.00	\$261.14
Lamictal 200mg 100 tablets <b>Generic</b>	\$357.99	<b>\$108.00</b>	<b>\$249.99</b>
Lexapro 20mg 84 tablets Brand	\$294.97	\$180.00	\$114.97
Lexapro 20mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$79.00</b>	<b>\$215.97</b>
Nexium 40mg 70 tablets Brand	\$531.97	\$189.00	\$342.97
Nexium 40mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$181.00</b>	<b>\$350.97</b>
Plavix 75mg 84 tablets Brand	\$501.97	\$279.00	\$222.97
Plavix 75mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$141.00</b>	<b>\$360.97</b>
Singulair 10mg 84 tablets Brand	\$387.97	\$226.00	\$161.97
Singulair 10mg 90 tablets <b>Generic</b>	(generic form not available)	<b>\$130.00</b>	<b>\$257.97</b>
Zetia 10mg 84 tablets Brand	\$300.51	\$219.00	\$81.51
Zetia 10mg 100 tablets <b>Generic</b>	(generic form not available)	<b>\$114.00</b>	<b>\$186.51</b>

*“I have been ordering some of my prescription drugs in generic form from Canada Pharmacy for several years because of the amazing discounts compared to my local drug store. I have been very satisfied with their quality and service and plan to continue to use them for helping to maintain my good health at a reasonable price. I encourage others to check out the potential benefits of going north of the border for their prescription drugs!”*  
(GSMOL member testimonial)

# 2012 50TH ANNIVERSARY CONVENTION COMING UP

Our 50th Anniversary Convention will be held at the Lion's Gate Hotel, Sacramento, April 13-15th, 2012. You now have an opportunity to pay in advance for registration by using the new LAY-AWAY plan to purchase shares. Informative "Breakout" sessions will give information on issues affecting mobile-home living. These sessions are an opportunity to discuss your concerns and to meet your fellow mobilehome owners.

The 2010 Convention "Breakout" sessions were very well received. Some of the many post-convention comments include:

"My first time. Very well done," -- "Seminars were fast paced and understandable and any questions were answered very well;" -- "The presentations were great;" -- "Liked the legal sources and information;" and "Interesting topics, good speakers." Breakout sessions for the 2012 Convention will be just as informative and lively. These sessions are designed to help you out! You will also have the opportunity to meet your representative on the Board of Directors.

Rooms at the Lion's Gate Hotel will be \$89.00 per night - FREE Continental Breakfast for registered guests, FREE parking and FREE shuttle to and from airport. Special speakers will be at the banquet to help this 50th celebration. Any questions, contact Diana Johnson, 650-369-8842 or Mary Hahn, 916-726-2855. They will be happy to try to answer all your questions

## SAVING AHEAD FOR 50TH CONVENTION EXPENSES

All members have an opportunity to "put money away" or "save for Convention Expenses" by using GSMOL'S NEW LAY-AWAY PLAN.

Here's how the plan works. You purchase "convention shares" to help defray costs when you register for convention. Each share is sold in increments of \$5.00. All shares are redeemed at the time of convention. For example: there are seven months left before registration. If you purchased one share a month, you will have \$35.00 to apply to registration costs. If the registration cost is \$100 the \$35.00 is subtracted from this amount, and you have a balance of \$65.00 to pay. You send the "receipt for shares" along with your registration.

This is a painless way to finance your registration. Shares are refundable if you do not use them.

FILL out this form (except for Share Number and Receipt Acknowledged lines) and send with a check to GSMOL, PO Box 876, Garden Grove, CA 92842 and you will receive your share. Then when you register, you send copies of your shares along with any balance left on the registration fee.

### GSMOL CONVENTION SHARES FOR 50TH ANNIVERSARY CONVENTION, APRIL 13-15, 2011

SHARE NUMBER \_\_\_\_\_

DATE: \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_ DOLLARS

NAME AND MAILING ADDRESS:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE \_\_\_\_\_

RECEIPT

ACKNOWLEDGED; \_\_\_\_\_



# Santa Barbara County Releases Draft MHP Closure Conversion Ordinance

*Continued from page 6*

There are no vacant mobile home spaces in the county; parks only accept new coaches; seniors are very fearful of having no where to go upon a park closure.

Need to balance the property rights of the MH park owner with the property rights of the mobile home owner and protect the MH owner's investment. The value of the homes may be equal to or even greater than value of MH park.

## Why now? What's the urgency?

With inadequate protection from current state law, MH owners remain vulnerable without a strong county ordinance such as adopted by two neighboring counties. (SLO & Ventura) Eventual upturn of economy increases threat of closure conversion.

## What Should an Ordinance Do?

Model ordinances, such as adopted by San Luis Obispo County, establish standards for the closure conversion of a mobile home park

to another use and provide for financial compensation and relocation assistance to displaced residents if the conditional use permit is approved. Two essential groups of ordinance components are:

A detailed Conversion Impact Report used by the county in deciding to permit conversion is the driving force of the ordinance. Key components must include: alternative housing sites available and "fair market value" cost to replace the mobile home if no MHP will accept the home.

**Relocation assistance** to help displaced resident homeowners. Key components must include payment of "in place" market value to residents whose homes cannot be moved, and a relocation plan describing aid to go to each displaced resident, including financial assistance to cover cost of relocation, the time frame and steps that will be taken to complete the relocations.

While recognizing that a park owner has a right to close the park, the MH park closure conversion ordinance can and should specify

conditions to be met for the owner to attempt to close the park and break long-term space leases signed in good faith by the homeowner.

The draft Santa Barbara County MH park closure conversion ordinance may be seen at <http://longrange.sbcountyplanning.org/programs/mobilehome/mobilehome.php>. Or go to <http://longrange.sbcountyplanning.org/>, select the "Special Projects" tab on the left, and then select "Mobile home Park Closure Ordinance".

The Northern Santa Barbara County Manufactured Homeowners Team (NSBMHT) and South [Santa Barbara] County Alliance of Manufactured-home Park Residents (SCAMPR) urge all MH residents of Santa Barbara County and other interested persons to review the draft and attend the County's public outreach meeting to receive comment in September, at a date/time/location to be announced on the website referred to above.

Ron Faas, is NSBMHT legislative action team coordinator and GSMOL volunteer



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## Region 8 Report

On June 15th, 2011 at the monthly homeowner association meeting, the residents of LAMPLIGHTER MOBILEHOME ESTATES in Camarillo, California celebrated the attendance of Camarillo Mayor Mike Morgan, Vice President ZONE B1 Mr. Craig Hull and Assistant Manager of Region 8 Ms. Barbara Tollerton.

Last year, Lamplighter MH Estates was sold to a new owner that owns 62 other mobilehome parks in 4 different Western states.

In October of 2010 the residents fought a \$55.00/per month rent increase purposed as a pass-through for repaving and property taxes.

With standing room only attendance, the residents of this 227 space park rallied together in their clubhouse and made an impressive challenge case to the Camarillo Rent Review Board in protest to this rent raise. As a result, the proposed rent raise was reduced to \$33.16. This financial issue created an increase in GSMOL membership from 13 members to 48 members in less than 2 months! It also allowed for the re-establishment of GSMOL Chapter membership.

GSMOL Chapter membership gives more credibility to the homeowner association's officers when addressing the Camarillo City Council. 28 year resident, Terry Bray, was appointed as the newest Associate Manager of Region 8, Oxnard & Camarillo areas by GSMOL, in recognizing her effective and diligent leadership abilities. Partnering with the 2nd Associate Manager of Region 8, Ms. Pat Brown, Terry Bray has taken on the task of addressing the Camarillo City Council with various issues pertaining to GSMOL concerns. She was able to elicit letters from the City of Camarillo supporting bills AB 579 and SB 444. Currently Terry Bray is pursuing changes needed to the current Rent Stabilization Ordinance in Camarillo to protect both non-resident owned mobilehome parks in that city.

We are very pleased to have Terry Bray representing GSMOL and congratulate the residents of Lamplighter Mobilehome Estates on a job well done on challenging their rent raise.



**Left to right Craig Hull--Vice President Zone B-1, Mike Morgan,--Mayor of Camarillo, Matt Lorimer,--Chapter President, Tom Magdeleno--Chapter Secretary and Barbara Tolerton--Assistant Manager Region 8.**

## WE HAVE WON OUR BATTLE - BUT NOT THE WAR!!!

For seven months GSMOL Chapter 1605 in Jackson, CA adamantly fought the park owners (C&L Investment) efforts to subdivide Rollingwood. They planned to subdivide the lots and sell them to the residents at \$100,000 each. A mobile home park can either be "condo converted" and sold as a unit to a group of residents, or subdivided into separate lots and sold to individual owners.

On April 18, 2011 the Jackson Planning Commission denied C&L's application for a Tentative Subdivision Map 179. To date the decision has not been appealed. This is why we feel we won the battle but not the war.

After consulting with Attorney Will Constantine, we were aware of the amount of money we would need to raise from the homeowners to cover our expenses. The contributions were more than we expected and continued right up to the hearing date. In seven (7) months we received contributions of \$11,300.00. Our legal expenses were \$9,035.00.

The majority of Rollingwood residents are low to moderate income. All those who gave did so because they believed it is their responsibility to pay their own way. Be it a lawsuit or disputes that lead to litigation with the park owners. It costs money to retain an attorney. G.S.M.O.L. cannot finance all of our legal expenses. We must dig deep into our own pockets for the funds that enable us to defend our rights. Strong leadership and unity of the homeowners can and will prevail.

We were fortunate and grateful that we won but without our commitment to a legal fund it could have been a disaster. With the past seven month in mind, I proposed to the membership that we continue a legal fund by pledging a minimum of \$5.00 per month with a cap of \$10,000.00. The idea was enthusiastically endorsed by the majority of our membership and the checks have already started to arrive.

In June 2010 Chapter 1605 Pres. Shirley Dajnowski and V.P. Dennis Hearn successfully lobbied the Jackson City Council for a ten (10) year extension of our Rent Stabilization Ordinance. I attribute both the forced subdivision defeat and the Rent ordinance solely to the strength of our GSMOL chapter leaders and members. I hope our small victory gives strength to those now fighting to save their homes.

Respectfully submitted,  
Shirley Dajnowski, President  
Chapter 1605 - Assoc. Mgr. Region 11  
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(209) 223-3348



## ZONE D REPORT

### IN THE TRENCHES—A SUCCESSFUL EFFORT TO FORCE A REFERENDUM

As reported in the previous issue of the Californian, Oceanside mobile/manufactured home owners organized a petition drive to force their local city government to retain rent control in their city. The Referendum process allows a vote of the people to undo legislative actions taken by local or state officials. It was attempted by MH owners in Capitola but petitions were not accepted because of a technicality. Currently, MH owners in Chula Vista are also facing full vacancy decontrol due to recent Council action. Park owners and their attorneys are targeting cities that have adopted rent protections by Council action, as opposed to a vote of the people. By financially supporting park friendly candidates and scaring cities with threats of expensive lawsuits, park owners have been successful at the local level after failing with legislation and statewide initiatives.

The Following is a personal account of what happened in Oceanside, which should provide inspiration to all MH owners:

**Fact:** In America, Senior Citizens have worked hard all their lives. We guaranteed our right and the rights of those who follow to live out the remaining years on this earth a peaceful and quiet life, baring a natural disaster. But our lifestyle and the value of our mobile home is being threatened by the majority of the city council and the mobile home park owners.

A referendum! Have you ever participated in a referendum? What makes up a referendum? Each and every United States voting citizen is at liberty to implement a referendum; staffed by friendly neighborhood volunteers. The rank and file comes largely from a variety of retired business owners and employees, labor industry workers, all levels of military personnel, private and public employees, construction workers and so on. However, there are companies that can be hired to provide paid signature gathers in case we, the volunteers, are running short of our goal. This service comes at a hefty price of \$3 per valid signature. For our town we

needed approximately 7,600 valid signatures and we had to get them in less than 30 days. At first this sounded like a physically impossible task.

But first, a brief description of how we ran our referendum: There are three elements needed to run a referendum: 1) people who write the proposal and submit the document to the City Clerk's Office; 2) volunteers who programmed and monitored the progress as volunteer signature gatherers canvassed the different areas of the city; 3) Now we come to the real meat of this article - the 'foot soldiers in the trenches': walking the neighborhoods and knocking on the doors; visiting the shut-in; staffing the tables and clip boards while speaking to regular citizens entering the grocery and hardware stores, banks, neighborhood eateries, et cetera. Below are just a few problems and stories coming from our referendum heroes in the trenches.

One of the issues that volunteers faced was the misconception that Rent Control is directly connected to Section 8 (provided to

citizens living near the poverty level). There was a mistaken general perception that all mobile homes are classified as subsidized housing. In most cases, low and fixed income citizens own their mobile home and rent the space on which their home is affixed. A majority of senior citizens own their mobile homes. Then there are many folks renting the entire package (the mobile home and the space beneath) - we will call them Renters. Mobile Home Owners and Renters, approximately 2,200 residents in Oceanside protected by Rent Control, are usually in the same financial boat: limited income. Because of misinformation and misunderstandings held by the public, the volunteers positioned themselves as educators and circulated the correct information about Rent Control. Upon hearing the complete facts, through the one-on-one contact, citizens signed our petition willingly.

Many volunteers experienced the feeling of a city coming together as a community.

*Continued on page 12*

### "We Did It!"



**Volunteer leaders and petition circulators proudly pose with petitions containing roughly 15,000 signatures of Oceanside citizens**

## ZONE D REPORT IN THE TRENCHES—A SUCCESSFUL EFFORT TO FORCE A REFERENDUM

*Continued from page 11*

The volunteer signature gatherers at the retail and bank locations realized they had to verify Oceanside residency as they asked for signatures. Many of the citizens we talked with do business regularly in our town from other cities but were not eligible to sign the petitions.

There was at least one down side to my story. The volunteer signature gatherers were warned that some people would sign a fictitious name on the petition, making it harder to reach our quota of valid signatures; the most common name used is Donald Duck. That was just one of their games. Thankfully, at least one volunteer was on his toes, and when he recognized such a person approaching the table ready to sign. The person was quietly asked to leave, making it 'one for our team'.

And now for the surprise! In less than thirty days, we the little old ladies and gentlemen volunteer signature gatherers collected and handed in over 15,000 signatures and only small portions were collected by paid signature gatherers. The County Registrar of Voters stopped counting soon after the required number of valid signatures had been officially verified. What a rush, when the word was passed through our neighborhoods. We did it! Now we await news of when the referendum will be placed on the ballot to allow voters to overturn the action of the Oceanside City Council.

Written by Stephanie Clark  
GSMOL contributing member

## Region 5 Report

On June 6, 2011, a vote was taken by the Huntington Beach City Council to Deny the Subdivision of Pacific Mobile Home Park in Huntington Beach. This was a somewhat surprising victory (6-1), but because the taste of the disaster and embarrassment caused by the Subdivision at the Huntington Shorecliffs Mobile Home Park (only two blocks away), the Council was very leery of Subdivision, especially as Councilmember Connie Boardman pointed out, she was concerned about the lack of knowledge of what the prices of the lots would be and the impacts on low income people.

The primary reason for Denial of this Subdivision was that one of the mobilehome park's lot lines encroaches upon the City's right-of-way, Huntington Street. The Park Owners cannot subdivide and sell the lots along Huntington Street with the existing configuration. No one can legally sell something that they do not fully own. There are approximately 23 homes out of 252 impacted by this encroachment.

We were fortunate in this case in that the Park encroached on the City's right-of-way, otherwise the Council may have not been so strong in their voting. They had a way out, that is all, otherwise some of the Developer-oriented Councilmembers might not have denied the Subdivision.

The City Staff and Planner did an excellent job researching this project. Specifically, CA Government Code Section 66474, requires denial of a Subdivision that is not consistent with applicable general plans. The proposed subdivision would violate several Huntington Beach General Plan Land Use Element goal and policies, and reconfiguring the lot lines to eliminate encroachment problems, may result in an inability to meet the standards and regulations of the Mobile Home Parks Act/Health and Safety Code with respect to setbacks, access, and other applicable development

standards that would be required.

One issue that was not noted in the City Staff Reports or the HK&C Reports, is that the Pacific MHP is located in the Coastal Zone, and therefore this proposed Subdivision must be in compliance with both the Coastal Act and the Mello Act. Recently the City of Los Angeles was able to stop the Subdivision Condo Conversion of Pacific Palisades Bowl Mobile Home Park based on the Coastal Act and Mello Act requirements.

The Law Firm for the Pacific Mobile Home Park Subdivision, Hart, King & Coldren (Robert Coldren), is the same the Law Firm that promoted the Subdivision of Huntington Shorecliffs Mobile Home Park and has promoted Subdivision in mobilehome parks throughout California. By using the disastrous example of the Huntington Shorecliffs Mobile Home Park Subdivision approval, at the direction of HK&C the Park Owners canceled all leases and Section 8 Housing, then purposely raised the rents up beyond the incomes of the low income residents in order to displace these residents prior to Subdivision, thereby avoiding the rent control restraints of California Government Code 66427.5 for low income residents. More than 80 people in the Huntington Shorecliffs Mobile Home Park have been forced to abandon their homes, or sell them for ridiculously low figures.

I hope this Denial will have an impact on any other Park Owners in Huntington Beach and the rest of the State. We need to discourage them as best we can.

It is especially important for all the mobilehome parks in California to start a "Voter Education Plan" in their cities, as we are instituting here in Huntington Beach, and proposing State-wide.

Mary Jo Baretich  
GSMOL Region 5 Manager



# GSMOL PRESIDENT JAMES BURR VISITS SANTA CRUZ COUNTY

*BY MARDI BRICK,  
REGION 10 ASSOCIATE  
MANAGER*

On June 22nd Golden State Manufactured-home Owners League (GSMOL) President James Burr came to DeAnza Santa Cruz MHP with the Zone B-1 Vice President Craig Hull. Residents of other Manufactured Home Parks from Watsonville, Aptos, Soquel, Capitola, Scotts Valley and the other Parks in the City of Santa Cruz were in attendance.

President Burr and Vice President Hull re-capped the fifty year history of GSMOL and the legislative achievements that have been beneficial to Manufactured Home Owners. One of the most helpful was the codification of the Mobilehome Residency Law under Chapter 2.5 of the Civil Code in 1978. It is kept relevant by annual revisions and amendments and Manufactured Park Owners are required to provide these updated revisions to their tenants yearly.

Santa Cruz County Manufactured Home Commission Chairman William Neighbors from Watsonville spoke of the need for residents to join together in a grass roots effort to support upcoming legislation that will improve Park conditions in all the Manufactured Home Parks in California.

Attorney William Constantine briefed attendees on the recent Bills for which they had written letters of support this past Spring. Both AB 579 and SB 444 had been changed to two year Bills because they had not had the votes to pass both the Senate and Assembly. The authors, Monning (AB 579) and Evans (SB 444), plan to change wording in order to get more favorable votes in the 2012 session.

In addition to the meeting at DeAnza, Burr and Hull, accompanied by Mardi Brick, local GSMOL Associate Manager, to Surf and Sand MHP. The City of Capitola had recently rescinded their Rent Control Ordinance and residents are now facing rent increases and eventual equity losses similar to those experienced by the residents of DeAnza Santa Cruz. Surf and Sand homeowners have just reactivated their GSMOL Chapter.

Later, several homeowners of Vista Del Lago MHP also met with Burr, Hull and Brick to discuss the reactivation of their GSMOL Chapter in Scotts Valley. Jim Burr voiced the opinion that he was very encouraged by the enthusiasm of Santa Cruz County Manufactured Homeowners. And, further, that he was looking forward to their active leadership in successful passage of State Legislation for all Manufactured Homeowners in the coming year.

## RECENT GSMOL BOARD OF DIRECTOR MEETING HIGHLIGHTS:

A Board of Director's regular meeting was held on July 1, 2011 at 2 p.m. via telephone conference call. Nine members of the Board were present along with the Legislative Advocate and Corporate Counsel. Reports highlights below:

**Zone VP's :** Included successful efforts to reactivate chapters, push to recruitment new members and Leadership Workshops.

**Treasurer:** financial matters, membership and rehabilitation of Garden Grove Building. Membership needs to be increased. Rehabilitation of Garden Grove Building is progressing; build-

ing being prepared for rental of empty space. Rental income will add greatly to our financial well being.

**Legislative Advocate:** GSMOL sponsored two bills which will see no more action this year. Contacts were established around the state and helped in the grass roots effort to help with our sponsored bills. It was very successful and the effort will be continued for the next legislative session.

**Corporate Counsel:** The sub-metering rulemaking by the PUC is proceeding. Comments are being received on the case and the issue is "Who is going to pay for any needed repairs" before the utility takes over the service.

**ROP:** Resident Owned Parks - Funding for ROP parks not good at the present time. Need to establish contact with ROP members to become GSMOL members, need an incentive for them to join.

**Legislative Action Team:** Report on activities with legislature.

**Membership Committee:** Chair, Roger McConnell and Michael Perri proposed using Associate Managers to make calls to members who have not paid dues. These resources have not been used and it is important to make as many calls as possible, as has proven successful in Sonoma County.

**Convention Committee:** Plans for Breakout Sessions will start soon.

**New Business:** Review of Strategic Action Plan; Report on Uniform Titling - National organization trying to get uniform law on re-titling of mobile homes; main benefit getting titled as real estate and better financing. VP-D Sheahan will work on this and keep Board informed.

Meeting adjourned at 5:40 p.m.

Respectfully submitted, Secretary  
Mary Hahn

# GSMOL WHO'S WHO

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(REGIONS 4, 11 &amp; 14)

### REGION 4

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(REGIONS 7 and 9)

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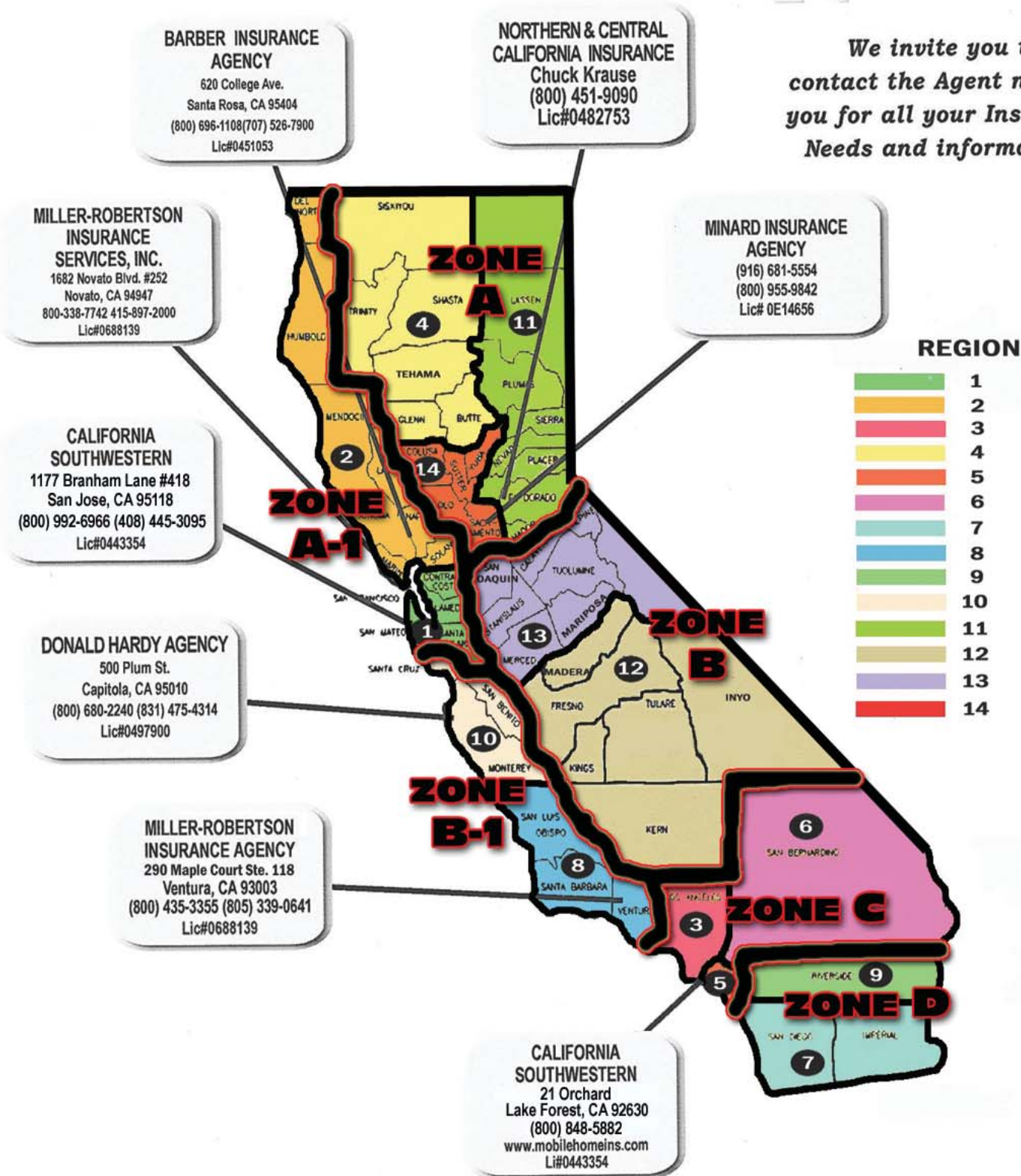
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# INSURANCE AGENTS EDUCATION NETWORK

*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!

Check # \_\_\_\_\_ Amount \_\_\_\_\_ Date \_\_\_\_\_



FILL-OUT AND RETURN THIS FORM ALONG WITH YOUR CHECK TO: GSMOL, 11021 MAGNOLIA ST., GARDEN GROVE, CA 92841