

THE CALIFORNIAN

GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

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March/April 2011

U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS
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SAN FRANCISCO-OAKLAND

02/04/11

Consumer Price Index, All Items, 1982=100

(U)

YEAR

APR

MAY

NOV

DEC

1991	135.5	135.5	135.5	135.5	135.5
1992	136.5	136.5	136.5	136.5	136.5
1993	137.5	137.5	137.5	137.5	137.5
1994	138.5	138.5	138.5	138.5	138.5
1995	139.5	139.5	139.5	139.5	139.5
1996	140.5	140.5	140.5	140.5	140.5
1997	141.5	141.5	141.5	141.5	141.5
1998	142.5	142.5	142.5	142.5	142.5
1999	143.5	143.5	143.5	143.5	143.5
2000	144.5	144.5	144.5	144.5	144.5
2001	145.5	145.5	145.5	145.5	145.5
2002	146.5	146.5	146.5	146.5	146.5
2003	147.5	147.5	147.5	147.5	147.5
2004	148.5	148.5	148.5	148.5	148.5
2005	149.5	149.5	149.5	149.5	149.5
2006	150.5	150.5	150.5	150.5	150.5
2007	151.5	151.5	151.5	151.5	151.5
2008	152.5	152.5	152.5	152.5	152.5
2009	153.5	153.5	153.5	153.5	153.5

and you

What the heck is CPI?

How does CPI affect me?

Why should I care?

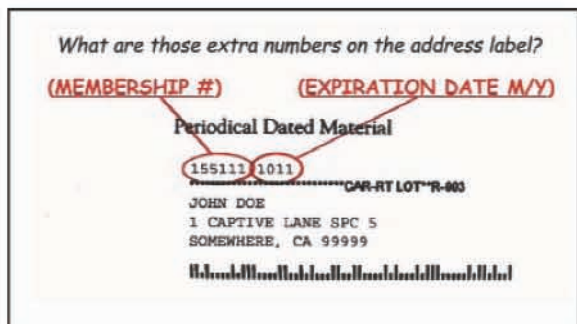
See Page 7

U.S. National CPI

YEAR	1 st HALF	2 nd HALF	Ann. Avg.
1995	2.9	2.6	2.8
1996	2.8	3.1	3.0
1997	2.6	2.1	2.3
1998	1.6	1.6	1.6
1999	1.9	2.5	2.2
2000	3.3 (R)	3.5	3.4
2001	3.4	2.2	2.8
2002	1.3	1.9	1.6
2003	2.5	2.0	2.3
2004	2.3	3.0	2.7
2005	3.0	3.8	3.4
2006	3.8	2.6	3.2
2007	2.5	3.1	2.8
2008	4.2	3.4	3.8
2009	-0.8	-0.1	-0.4
2010	2.1	1.2	1.6

Table of over-the-year percent increases. (e.g., an entry for 2nd Half 2008 indicates the percentage increase from 2nd Half 2007 to 2nd Half 2008 is 3.5%, with an annual average for calendar year 2008 of 3.4%.)

SB 444 and AB 579
See Page 4



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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**

Preserving Our Rights Under Local Rent Control Ordinances

Whether we call it “Rent Control”, “Rent Stabilization”, “Rent Regulation”, “Rent Protection” or “Rent Review Ordinance” is immaterial for the purposes of this message to our members. What is important is that we strike back against park owners’ increasing, relentless assault on any and all forms of rent protections for homeowners. These ordinances protect park owners, as well, by guaranteeing a fair and reasonable return on their investment. This fairness standard for regulation of rental rates is similar to that used for the Utility Industry where customers cannot shop the market for the best value. If this ever-increasing assault continues unabated, we stand to lose rent control. It happened in Hollister, then Santa Cruz and now in Capitola. Dozens of other cities are under serious threat as park owners and their crafty attorneys continue to introduce new and novel means to end rent protections, vacancy control and anything that resembles them.

To those of us without local rent protections, we say the following; there are over 650 jurisdictions (incorporated cities and counties) in the state. Of these, only about 110 have some form of rent and other cost regulation. Those of us in the remaining 540 jurisdictions without rent control protections must remember this; the impact of losing rent control affects us in a strong, indirect way.

OK, I know some of you are think-

ing... “How can this be true; my rents keep going up beyond inflation, anyway – there is no connection between my rent and the ordinances in other cities”... Please understand that the existing ordinances serve as an effective deterrent to most park owners in the remaining 540 localities without protection. They view rent control as a threat because they know that local governments will be more apt to establish ordinances if rents are spiraling upward. In fact, park owner advisors will do their best to show that rents are not “spiraling” and even embellish this with fuzzy math. So, quite simply, those of us without rent protection have a large stake in keeping this deterrent alive and well in California.

Furthermore, if these novel and often-disingenuous actions by park owners and their innovative attorneys continue unabated, it will likely end the adoption of new ordinances where they are needed most, and dismantle existing ones in the near future.

One of these tactics is to attempt a substantial annual rent increase, beyond the CPI or COLA index in the ordinance. If the local jurisdiction rejects it, the park owners sue the city for the alleged economic loss, therefore costing cities or counties the expense of defending the ordinance.

Another tactic growing in popularity is to attempt a forced condo-conversion, only to escape the ordinance. They reveal this agenda when homeowner’s learn the outlandish sale price for the space upon which their home is installed. If the local city or county jurisdiction rejects this, again they sue.

When park owners sue for rent increases or condo-conversions, they usually lose. Then they engage in a severe economic injustice by suing repeatedly, only to drain the city or counties funds hoping to force them to cave in to the park owner’s unreasonable demands.

This is why the City of Santa Cruz and Palm Springs gutted their ordinance, despite the high degree of concern for the affected manufactured homeowners. It

appears to be happening now in Capitola and elsewhere. It then becomes an economic injustice and has placed the viability of manufactured housing as the largest form of unsubsidized affordable housing on the “endangered” list.

Cities are forced to cave-in when faced with the decision to either save the manufactured homeowners from economic eviction and loss of home equity, or stop maintaining streets and lay-off police and fire personnel.

To combat these threats, we have dedicated our 2011 legislative agenda to protecting rent control. GSMOL’s two sponsored bills hit hard at the heart of the park owner’s tactics mentioned above, as follows:

SB-444 authored by Sen. Noreen Evans if adopted would clarify that the residents vote in the required survey will be seriously considered by local government when deciding to approve or reject a park owner’s attempts to enact forced condo-conversions, and provides other protections against conversions, as well.

AB-579 authored by Assemblymember William Monning if adopted into law would allow cities and counties to recover legal expenses when park owners sue and lose. This will reduce or eliminate the frivolous nature of their actions.

We will employ all of our legislative human and financial resources to enact these bills into law and we know the park owners will do the same while fiercely opposing them. Indeed, the stakes are high on both sides and this is where we need your help....

We note that as our membership renewals continue to decline. We know that some members must move on to skilled nursing homes or to be near family, while others even pass away. These facts of life are beyond our control.

We also know that some have not renewed because of the age-old question...“What has GSMOL done for me–lately” and do not renew, even though it is within their control. So what must we do to answer this question at renewal time?

Continued on page 4

Capitol Report

*Christine Minnehan and
Brian Augusta*

The Legislature concentrated exclusively on the state budget for the past three months, and now is conducting policy hearings as well. Governor Jerry Brown has single-mindedly focused on passing a balanced budget, and has engaged many members in his efforts. Although enactment of a budget still remains elusive, legislators must turn part of their attention to policy committee deadlines.

With little at stake in this year's budget, mobilehome advocates have been focusing their Capitol efforts on winning passage of two critical pieces of legislation.

The first, SB 444 (Evans) would provide additional protections to homeowners from forced conversion of their parks to condominium subdivisions. SB 444, would restore balance and fairness, reduce litigation against local governments, and provide homeowners with some certainty about the future of their investments in their homes. The bill does so in two ways. First, it would ensure that local governments can fully consider the level of support among homeowners for the proposed conversion before deciding on whether to approve the conversion.

Second, the bill makes clear that local governments can also consider whether the proposed conversion is consistent with other state laws such as the Coastal Act and other important state policies, just as they do with any other development application. Together these provisions ensure that park owners deal fairly with homeowners and put an end to conversions that put at risk our investments in our homes.

The other important bill is AB 579 (Monning), which helps ensure that park owners cannot dismantle protections for

homeowners—like rent control laws—just by running up legal fees. Recently, there has been a dramatic increase in the number of lawsuits against local mobilehome rent control ordinances, solely to force local governments to abandon their mobilehome ordinances because of the litigation costs. AB 579 would allow local governments to recover their attorneys' fees when they have successfully defended their mobilehome rent control ordinance. The bill would also provide the courts with a special motion to dismiss the lawsuit if a parkowner's suit has no reasonable basis.

WE NEED YOUR HELP

GSMOL is working hard to mobilize grassroots support for both bills. We need homeowners to join in. To become involved, contact us in one of two ways. If you have access to email, the easiest way is to send an email to either SB444info@housingadvocates.org or AB579info@housingadvocates.org, and we'll tell you more about how you can get involved.

You may also call GSMOL's home office at 1 (800) 888-1727, and give them your name and contact info and someone will get back in touch with you.

With your help we can win passage of these important bills.

President's Report

Continued from page 3

It may not be enough for some of you to know that in its 49 years of existence, GSMOL has contributed more than any other entity to the substantial protections we enjoy under the Mobilehome Residency Law. Few other states come close to having such protective laws...

It may not be enough to know that we are the only manufactured home advocacy group that has maintained a continued presence in Sacramento with skilled paid lobbyists for almost 40 years to advocate our bills and kill virtually all park owner bills that have attempted to remove our rights.

It may not be enough to know that we will have a new majority on your Board of Directors, activated committees to serve the League and that the new Strategic Action Plan is working. We are indeed recruiting more leadership throughout the state to serve you more effectively in the parks.

However, we sincerely hope it should be enough for you to know just two things. First, understand the serious reality that your dues and donations are a huge part of our operating funds. Without them, we will not survive. Second, that we are working hard and beyond our means in the 2011 Legislative Session to protect you against a huge and growing frontal assault against rent protections that benefit all 700,000 manufactured home park residents in California.

So we absolutely need every one of your membership renewals, along with your contributions to our dedicated funds. The funds are used to protect the rights and advance the benefits of our members in the courts, in the Capitol and in the parks. In addition, without your involvement and support, today's "endangered" form of unsubsidized affordable housing will become tomorrow's "extinct" form of affordable housing.

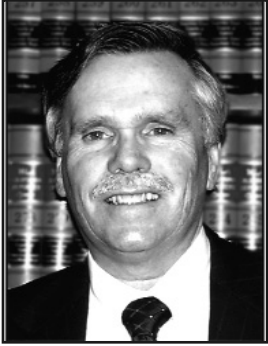
GSMOL is fortunate to have Attorney Bruce Stanton as Corporate Counsel. He made a very prophetic statement recently and if we can see the logic in it, it should encourage us to renew and give generously to the dedicated fund of your choice. Bruce wrote these words....

"Our greatest adversary is not the park owners; it is our own apathy and indifference".

Time to Renew Your Membership?

Consider this as your first notice to renew your membership. If you don't know when your renewal date is, you can look at the address label on the front cover and refer to the description of the label on page 2. It saves us the costs of labor and mailing if you will renew at least a few months early and by doing so, you don't shorten your paid membership period. Thanks for your help saving the League on our expenses!

SPRING CLEANING: QUESTIONS, ANSWERS AND UPDATES



**By: Bruce Stanton,
Attorney**

ABOUT THE AUTHOR: MR. STANTON IS A SAN JOSE ATTORNEY WHO HAS REPRESENTED MOBILE-HOME RESIDENTS AND HOME-OWNER ASSOCIATIONS AS A SPECIALTY FOR OVER 20 YEARS, AND IS CORPORATE COUNSEL FOR GSMOL

With the long Winter finally ending, and Spring almost upon us, it's time to provide a few legal updates and answer a few more questions from homeowners.

Park Owner Intends to Appeal Goleta Case

The December En Banc decision issued by the United States Ninth Circuit Court of Appeal in *Guggenheim v. City of Goleta* will be considered final unless it is appealed to the last and highest court in the Federal Court system. That would be the United States Supreme Court in Washington, D. C. In recent weeks, press releases issued by the park owners (the Guggenheims), and their attorneys have announced their intention to seek review from the High Court. And to give their case more appeal and credibility, the word is that the park owner has hired renowned D. C. attorney Ted Olson to file its petition for Certiorari. The park owner knows that the mathematical chances of the Supreme Court granting review of any case is very

slim, as less than 100 petitions are granted from the thousands which are filed annually. Will hiring a "top gun" like Mr. Olson make a difference? Only time will tell. But the park owner is obviously "behind the eight ball" at this point, and on the losing end of an 8-3 panel decision. Pouring the kind of resources into this fight which hiring Mr. Olson will require shows just how desperate the park owner considers this fight to be, and how important the issue needs to remain for mobile-home residents. As the Supreme Court review process unfolds, The Californian shall continue to keep you updated. And GSMOL shall remain vigilant to assist the City of Goleta with any further legal work which is required. The fight to save "vacancy control" and rent stabilization ordinances is obviously not over, which highlights the need for ALL mobilehome residents to be active, involved and to become GSMOL members. Stay tuned.

Public Utilities Commission Opens Rulemaking for Sub-metered Parks

On February 24th the California Public Utilities Commission (CPUC) announced, as expected, that it was opening a rulemaking proceeding in response to a petition filed last summer by the Western Manufactured Housing Communities Association (WMA). The proceeding will examine what the CPUC can and should do to encourage the transfer from park owners to the serving utilities of sub-metered gas and electric systems that supply electricity, natural gas or both to mobilehome parks. Sub-metered parks are those where the park owner gets its energy from the utility at a discounted rate, then provides the service, reads the meters and bills the energy, pursuant to sub-meters located at pedestals for each mobilehome space. Parks owners claim they wish to "get out of the utility business", and the CPUC indicates that state policy does not favor the continuation of sub-metered systems. Laws have existed on the books for

over a decade which provide a process whereby park owners can hand the gas and electric systems back to the local utility. But park owners claim that it is too difficult a process, and also wish to confirm what responsibilities they may have to repair the systems before they are transferred. They would prefer to get out as quickly and cleanly as possible, without contributing money to repair or upgrade the energy systems which they have been operating for many years.

After WMA filed its petition, hearings and workshops were held to determine the best way for the CPUC to proceed. The utilities, such as Edison, P G & E, and SoCal Gas, participated, along with TURN and GSMOL. A matrix of issues was developed, which includes the need to ensure safety and reliable service. GSMOL did not oppose the WMA petition, but like TURN requested a broader scope to the rulemaking which would include consideration of making park owners accountable for the monthly "discounts" which it receives (currently \$25.84 per month for P G & E customers). In its decision, the CPUC noted the following:

"Any transfer must be fair and reasonable to all ratepayers, including MHP tenants, to utilities, and to MHP owners. While it is premature for us to opine on the specific requirements of a just solution, we observe that a deep-seated and ongoing source of contention among the parties has been whether the MHP master-meter discount is adequate, on the one hand, and whether MHP owners have used the discount they have received for appropriate master-meter/submeter purposes. We urge all parties to consider how to reasonably bridge this disagreement in a way that minimizes unfairness, including the likelihood of financial penalty or windfall to either ratepayers of MHP owners."

Continued on page 6

SPRING CLEANING: QUESTIONS, ANSWERS AND UPDATES

Continued from page 5

Needless to say, the ongoing conduct of these hearings should prove very interesting. Fact-finding will be very important as the matter moves forward, and GSMOL continues to ask its members to report on the status of their sub-metered systems, so that we can identify those parks where safety or reliability of service is an issue, and where transfers back to the serving utility could thus be a priority. The initial hearing to discuss fact-finding procedures and scheduling shall be held in San Francisco on April 15th. GSMOL shall continue to be a party to this proceeding. Anyone wishing to view the entire CPUC decision can access it online at: “www.cpuc.ca.gov”, under Rulemaking No. 11-02-018. The entire process is expected to take about 14 months.

Question: *What can I do if the park owner does not send me a monthly rent statement or bill, and then refuses to accept my rent check even though I have not been evicted?*

There is no requirement in the Mobilehome Residency Law that a park owner must send a monthly rent bill to residents. That having been said, it is extremely rare that a park owner would not do so. Good and sensible business practice dictates that if you wish to be paid you should send out a bill. And where utilities are sub-metered, or pass throughs are being charged for any sort of utility item, a bill is needed to identify the amount of the monthly usage and the amount owed by the resident for gas, electric, water, sewer, cable T.V., etc. In most all cases, it would not be prudent for a park owner to assume that the resident knows the onthly amount which should be paid.

Where a bill is not received, a resident

can only assume an oversight (in which case the resident should go to the park office and obtain a copy of the rent statement), or that a 60-day eviction notice could be imminent. If the park owner seeks to evict a resident, then it cannot thereafter accept monthly rent and utility amounts without waiving its termination notice. Without a valid notice there can be no eviction. And so if a termination of tenancy is intended by the park owner, provision of monthly statements will usually be suspended for that resident. But if a resident has received no such notice, then he or she should go to the park office and inquire about the amount of rent and utilities, so that the amount due can be paid.

So what happens if no statement is received, there is no eviction notice pending, and the park owner STILL does not accept the resident's payment? This unique situation might signal the park owner's attempt to maneuver the resident into an unintended rent default. Any resident who fails to receive a monthly statement by the 6th day of the month should immediately request one. If the park refuses, then the resident should submit a check made out for the amount of rent known to be due, or if utility amounts are not known, in the same amount as the previous month's bill. This payment should be tendered to the park along with a cover letter explaining why the payment is being estimated, and which requests that the resident be billed for any shortfall. Make certain that you keep a copy for your records. If the park owner continues to refuse to accept payment, the resident should be vigilant for a termination notice and contact a qualified mobilehome or tenant's attorney if and when an eviction notice follows. Ongoing good faith attempts to pay the rent should defeat any eviction attempt. But the key here is not to ignore the sit-

uation. Sitting back and doing nothing could result in a manufactured “rent default” that could be difficult to overcome.

Question: *Is there any value to “Homesteading” a Mobilehome or Manufactured Home?*

The answer is usually: “No”. A Declaration of Homestead was historically used by real property homeowners to safeguard the “homestead exemption” which is provided by California law in varying amounts to protect home equity from execution by creditors, and is currently between \$75,000.00-\$175,000.00. The amount of the exemption increases according to the age or disability status of the homeowner. It was formerly believed that unless a Declaration of Homestead was recorded or filed against the property to be protected, the homeowner would not get the benefit of the homestead exemption. But homestead rights are conferred by California law to anyone living in a “dwelling” (which includes a “mobilehome”) without regard to whether any Declaration is actually filed. Filing an actual Declaration is probably only advisable if a creditor has or is known to be pursuing a lien or judgment against the homeowner, who wishes to establish the priority of the exemption. Otherwise, any mobilehome owner is automatically protected by the homestead exemption, which is found in California Code of Civil Procedure sec. 704.730. The one advantage to a declared homestead is that it applies to protect equity where a mobilehome is voluntarily sold with a debt pending, as opposed to where a creditor is seeking to levy or attach the home. In the latter case, the Code protects the homeowner's equity in the amount of the exemption from any forced sale or execution.

CPI AND YOU "PART ONE"

The Consumer Price Index (CPI) is the most commonly used standard in determining annual rent increases in manufactured home communities, whether used in long-term leases or incorporated into Rent Stabilization Ordinances. Some leases and ordinances might include upper and/or lower limits to annual rent increases tied to CPI. Some leases and most ordinances use some percentage of the nearest metropolitan area CPI (e.g. Los Angeles/Orange/Riverside County Metropolitan area) to provide park landowners a fair and reasonable return on their investment. The percentage of CPI used by ordinances generally ranges from 50% to 100% of CPI for "permissive" annual rent increases in California, but additional rent increases can occur if park owners prove through an administrative hearing that such additional increases are warranted.

A few ordinances use the Federal Social Security Cost of Living Adjustment (COLA) instead of CPI, but that is not common.

SHORT EXPLANATION OF CPI

The CPI is a measure of the average change in prices over time in a fixed market basket of goods and services. The Bureau of Labor Statistics publishes CPI's for two population groups: (1) a CPI for All Urban Consumers (CPI-U) which covers approximately 87 percent of the total population and (2) a CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers 32 percent of the total population. The CPI-U includes, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees and others not in the labor force. The CPI-U is typically used as reference for Rent Stabilization Ordinances.

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for physicians' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Prices are collected in 87 urban areas across the country from about 50,000 housing units and approximately 23,000 retail establishments—department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes

directly associated with the purchase and use of items are included in the index. Prices of fuel and a few other items are obtained every month in all 87 locations. Prices of most other commodities and services are collected every month in the three largest metropolitan areas and every other month in other areas. Prices of most goods and services are obtained by personal visits or telephone calls by the Bureau's trained representatives.

In calculating this index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Separate indexes are also published by size of city, by region of the country, for cross-classifications of regions and population-size classes, and for 27 local areas. Area indexes do not measure differences in the level of prices among cities, they only measure the average change in prices for each area since the base period.

The indexes measure price change from a designated reference date, 1982-84, which equals 100.0. An increase of 7 percent, for example, is shown as 107.0 on a CPI Index Point chart. This change can also be expressed in dollars as follows: the price of a base period market basket of goods and services in the CPI has risen from \$100 in 1982-84 to \$107.

Calculating Index Changes

Movements of the indexes from one month to another are usually expressed as percent changes rather than changes in index points, because index point changes are affected by the level of the index in relation to its base period while percent changes are not. The following example illustrates the computation of index points and percent changes.

Index Point Change

Current CPI: 112.5
Minus previous CPI: -108.5
Equals index point change: 4.0

Percent Change

Index point change: 4.0
Divided by previous CPI: $4.0 \div 108.5$
Equals: 0.037
Multiply by 100: 0.037×100
Equals percent change: 3.7

If an ordinance allows 75% of CPI, you would calculate $3.7 \times .75 = 2.775\%$, which would be the permissive rent increase for that year. We have created charts for the CPI "Percent Change" data at the national level, along with the three major metropolitan areas used for California. We have also created a chart showing the COLA for the same period of time, as a basis of comparison. For the full CPI figures, go to www.bls.gov/cpi/. For those without Internet access, call:

CPI 24 HOUR HOTLINE NUMBERS:
SAN FRANCISCO(415) 625-2270
LOS ANGELES(310) 235-6884
SAN DIEGO(619) 557-6538

In the next Californian, we will include more information on the CPI, along with some charts and graphs of actual rent increase histories compared to CPI increases over the same period of time. The outrageous rent increases are shockingly disturbing!

Social Security COLA

YEAR	Annual Inc.
1995	2.6
1996	2.9
1997	2.1
1998	1.3
1999	2.5
2000	3.5
2001	2.6
2002	1.4
2003	2.1
2004	2.7
2005	4.1
2006	3.3
2007	2.3
2008	5.8
2009	0.0
2010	0.0

CPI AND YOU

U.S. National CPI

YEAR	1 st HALF	2 nd HALF	Ann. Ave.
1995	2.9	2.6	2.8
1996	2.8	3.1	3.0
1997	2.6	2.1	2.3
1998	1.5	1.6	1.6
1999	1.9	2.5	2.2
2000	3.3(R)	3.5	3.4
2001	3.4	2.2	2.8
2002	1.3	1.9	1.6
2003	2.5	2.0	2.3
2004	2.3	3.0	2.7
2005	3.0	3.8	3.4
2006	3.8	2.6	3.2
2007	2.5	3.1	2.8
2008	4.2	3.4	3.8
2009	-0.6	-0.1	-0.4
2010	2.1	1.2	1.6

Table of over-the-year percent increases. (e.g. an entry for 2nd Half 2005 indicates the percentage increase from 2nd Half 2004 to 2nd Half 2005 is 3.8% with an annual average for calendar year 2005 of 3.4%).

San Francisco Bay Area CPI

YEAR	1 st HALF	2 nd HALF	Ann. Ave.
1995	2.2	1.8	2.0
1996	1.9	2.8	2.3
1997	3.2	3.6	3.4
1998	3.3	3.1	3.2
1999	4.0	4.4	4.2
2000	4.0	4.8	4.5
2001	6.2	4.7	5.4
2002	1.9	1.4	1.6
2003	2.3	1.2	1.8
2004	0.7	1.7	1.2
2005	1.7	2.2	2.0
2006	3.2	3.3	3.2
2007	3.3	3.2	3.3
2008	3.3	3.0	3.1
2009	0.7	0.8	0.7
2010	1.7	1.1	1.4

Table of over-the-year percent increases. (e.g. an entry for 2nd Half 2005 indicates the percentage increase from 2nd Half 2004 to 2nd Half 2005 is 2.2% with an annual average for calendar year 2005 of 2.0%).

LA/Orange/Riverside CPI

YEAR	1 st HALF	2 nd HALF	Ann. Ave.
1995	1.8	1.2	1.5
1996	1.4	2.3	1.9
1997	1.7	1.5	1.6
1998	1.3	1.5	1.4
1999	2.3	2.4	2.3
2000	2.9	3.7	3.3
2001	3.8	3.0	3.3
2002	2.6	2.9	2.8
2003	3.1	2.1	2.6
2004	2.6	4.1	3.3
2005	4.0	4.9	4.5
2006	5.1	3.5	4.3
2007	3.3	3.2	3.3
2008	3.8	3.3	3.5
2009	-1.1	-0.5	-0.8
2010	1.6	0.8	1.2

Table of over-the-year percent increases. (e.g. an entry for 2nd Half 2005 indicates the percentage increase from 2nd Half 2004 to 2nd Half 2005 is 4.9% with an annual average for calendar year 2005 of 4.5%).

San Diego Area CPI

YEAR	1 st HALF	2 nd HALF	Ann. Ave.
1995	1.3	1.7	1.5
1996	2.2	2.9	2.6
1997	2.4	1.1	1.7
1998	1.4	2.5	2
1999	3.4	3.6	3.5
2000	4.7	6.8	5.8
2001	5.7	3.6	4.6
2002	2.9	4	3.5
2003	4.1	3.4	3.7
2004	3.7	3.7	3.7
2005	3.3	4	3.7
2006	3.8	3	3.4
2007	2.3	2.3	2.3
2008	4.6	3.2	3.9
2009	-0.6	0.6	0
2010	1.4	1.2	1.3

Table of over-the-year percent increases. (e.g. an entry for 2nd Half 2005 indicates the percentage increase from 2nd Half 2004 to 2nd Half 2005 is 4% with an annual average for calendar year 2005 of 3.7%).

CHAPTER 1420 RECOGNIZES LONG TERM MEMBERS



Pictured above back row L-R—Paul Spiese, Bob Stanley, Ed Williams, front row L-R—Vera Scott, Mickey Whittman, Annie Glines, Jim Bierbauer, and Mickey Gianunizo

On 11/16/10, Chapter 1420 had a luncheon for Casa Grande Mobile Home Estates residents, called "Home Is Where the Heart Is, A Gathering of Friends". At that luncheon, long term GSMOL members were recognized for their long time membership. All of the members pictured had at least 10 years continuous membership. Three of the members had 27 years in GSMOL.

Chapter 1420 President, John Smith, presented these special recognition plaques to these valued members. President Smith stated "This is what GSMOL is about" "It is about time that we recognize these very valuable people who have maintained their membership for many years." VP Zone B-1, Craig Hull and Zone 8, Regional Manager, Marie Pounders were attendance. North Santa Barbara County Manufactured Homeowners Team (NSBMHT), former President Ollie Kirby, President Bill Heintz, Casa Grande member, Secretary Roy Haller, Treasurer Nancy Johnston, and LAT Coordinator Ron Faas were also in attendance. State Farm Agent, Donna Randolph, provided sponsorship for the event.

On behalf of Chapter 1420's Officers, we are pleased to congratulate these members for their contributions and long term membership in GSMOL. Chapter 1420 Officers would also like to thank all the residents who attended this event and hope that they enjoyed the festivities.

Bill Heintz
Region 8 Assistant Manager
President-NSBMHT



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2012 CONVENTION BREAKOUT SESSIONS REQUEST FOR IDEAS

GSMOL statewide conventions are a unique opportunity for members to analyze problems, discuss solutions, learn how others have met similar challenges and prevailed. Are there problems in your park with managers, trees, driveways, maintenance of facilities, treatment of homeowners, etc? This opportunity is available for GSMOL members to get information and to meet other homeowners in the "Breakout Sessions" being planned for the 2012 GSMOL 50th Anniversary Convention, in Sacramento. "Breakout Sessions" held at the 2010 Convention were a huge success and members want them presented again.

"BREAKOUT SESSIONS" are conducted in separate rooms, presented in an informal manner and chance to have questions answered. Attendance at the sessions is a good way to get to know fellow members from around the state and to discuss mutual concerns, especially if you have the same park owner! You choose which session you want to attend and when it is over, go on to another session. The sessions are designed to give the most information in the shortest time. You will come out of these sessions prepared with knowledge to help yourself and others. The sessions are held on Friday and Saturday of the convention.

NOW IS THE TIME FOR YOU TO SPEAK UP AND TELL GSMOL WHAT SUBJECT YOU WOULD LIKE PRESENTED. To help the committee, please send any recommendations to the Garden Grove office; or to Mary Hahn, PO Box 19126, Sacramento, CA 95819. You can also send your suggestions via E-mail to; Convention co-chairs; Diana Johnson, gsmol-reg1@yahoo or Mary Hahn MaryH2811@aol.com. Your recommendations are very welcome.

Thank You Hemet West Homeowners!



Hemet West HOA and GSMOL Chapter President, Larry Graves, shown making a contribution to one of eight collection cans located throughout the park. Hemet West has been one of the most faithful and consistent contributors to GSMOL commitment funds, thanks to their dedication to fund-raising.

START SAVING NOW SO YOU CAN ATTEND THE CONVENTION

Many GSMOL chapters and HOAs conduct a variety of fund-raising activities to help delegates and observers attend the convention. Whether it's a pancake breakfast or White Elephant sale, fund-raisers can also be FUN-raisers that help unite homeowners in a common cause. Several homeowner groups collect aluminum cans and plastic bottles for recycling. Over time, that can mean thousands of dollars that can be put to good use.

If you haven't already done so, take action NOW to start saving for your trip to Sacramento to attend our landmark convention celebrating 50 years of homeowner advocacy!

We also want to remind you about the convention "Layaway" program to help you save for the costs of attending the convention. Contact the GSMOL home office at (800) 888-1727 for details.

ELTH SUCCESS STORY

17 Residents Awarded \$1,141,584 by Orange County Jury

CASE: Gilberto Aguirre, et al. v. Advanced Group 03-79; Orange County Superior Court Case No. 07CC11632

On January 13, 2011, 17 residents of Capistrano Terrace Mobilehome Park were awarded \$1,141,584 by an Orange County jury for the park owner's failure to maintain the park. The residents were represented by Ken Turek and David Semelsberger of the San Diego law firm of Endeman Lincoln Turek & Heater, LLP (www.elthlaw.com). The case entitled Aguirre, et al. v. Advanced Group 03-79 was filed October 31, 2007 by 145 homeowners. Before trial began, a different group of seventeen plaintiffs accepted settlement offers made by the parkowner. The parkowner, Advanced Group, is one of the largest owners of apartments in Orange County, owning more than 6,000 units. Capistrano Terrace is the only mobilehome park Advanced Group owns. The remaining 128 residents who did not settle proceeded to trial on November 1, 2010, for defendant's continued failure to maintain the sewer, water and electrical systems. Residents testified to repeated sewage backups and spills inside and outside their homes, bad water, low water pressure, electricity outages and low electrical power, and dilapidated park buildings and structures. Defendant also failed to repair surficial landslides near or under plaintiffs' homes that occurred whenever it rained.

Continued on page 11

ELTH SUCCESS STORY

Continued from page 10

In the middle of trial, the Court severed the 17 plaintiffs from the other 111 plaintiffs, and allowed only those 17 residents to proceed to verdicts on their claims. The jury voted 12-0 in favor of the residents on almost every verdict question presented to them, and awarded \$250,000 in punitive damages against the parkowner in addition to compensatory damages to the 17 plaintiffs. Judgment was entered by the Court on March 1, 2011.

"This outstanding outcome is the result of a group of residents who came together to stand up for their rights and prevailed in a court of justice." Attorney Semelsberger stated.

The parkowner has twice started the process to close the park but Advanced Group's President, Rick Julian admitted on cross-examination by Mr. Turek at trial that Advanced Group did not have the \$8 million it would cost to pay fair market value for plaintiffs' homes (if they cannot be moved), which is required under the City of San Juan Capistrano's closure ordinance. Advanced Group is also developing an adjoining 145-acre vacant site for luxury homes and riding stables. The Capistrano Terrace residents have long feared Advanced Group only purchased the Park in 2003 to close it and use the land for its adjoining development. Another Advanced Group representative, Ray Poulter, admitted at trial during cross-examination by Mr. Semelsberger that he was paid \$5,000 a month from the Park's general fund to work on the adjoining development project.

"These plaintiffs had the courage to work against an oppressive Park owner and succeed for their community." Attorney Turek stated.

Santa Barbara Co. Board Directs Staff to Work on MHP Closure/Conversion Ordinance

By a unanimous vote, the Santa Barbara County Board of Supervisors on March 1 directed county staff to begin work on drafting a new mobile home park closure-conversion ordinance and report back in six months.

This action resulted from work this past year by the MH park closure/conversion subcommittee of the North Santa Barbara County Manufactured Homeowners Team (NSBMHT). The cause was supported by letters from MHP Homeowners Associations & GSMOL chapters throughout the County and supporting organizations, persuasive spoken testimony & attendance by MH residents at the Hearing.

The Board had previously directed staff in December 2007 to return with a draft urgency moratorium against closure & a draft conversion ordinance. This had been delayed since February 2008 on County Counsel advice to wait until conversion ordinances were settled in court, in spite of the adoption of a closure conversion ordinance by San Luis Obispo County in November 2008.



Linda Taylor reports from her group to participants in the February 5th workshop on MH park closure/conversion ordinance.

Following the organization of NSBMHT about a year ago, GSMOL Region 8 co-manager Marie Pounders of SLO County noted that a major reason S.B. County had delayed action was likely that the conversion ordinance suggested as a model had contained components of both closure (change of land use) & condo/subdivision (change of space ownership). This was important because only condo/subdivision conversion ordinances had been held up in court; no closure/conversion ordinance following the SLO County model has ever had a legal challenge.

Following a 7-hour workshop in May about closure and condo/subdivision conversion ordinances, the subcommittee outlined talking points & developed a plan to get a MHP park closure/conversion ordinance adopted. Subcommittee members met with three supervisors in September to help them & key staff understand the difference between closure/conversion and condo/subdivision conversion ordinances, & contrasted the glaring lack of protection by state law with those provided by the SLO County ordinance.

A MHP Closure/Conversion Workshop was held in February for residents of the five parks in unincorporated southern Santa Barbara County at Rancho Santa Barbara MHP. GSMOL Zone B-1 VP Craig Hall of Ventura & Marie Pounders assisted in organizing this event. Following the workshop, Anne Anderson (Rancho Santa Barbara MHP GSMOL chapter president & GSMOL Region 8 assoc. manager) convened a group of core facilitators from the workshop to mobilize participation from their five unincorporated area parks in the March 1st hearing, including letters from the GSMOL chapter & HOAs, speakers and attendance by residents.

Continued on page 12

Santa Barbara Co. Board Directs Staff to Work on MHP Closure/Conversion Ordinance

Continued from page 11



l to r. Ron Faas (Sunnyhills, Santa Maria), NSBMHT LAT Coordinator, Marie Pounders (Sea Oaks, Los Osos) Region 8 Co-Manager (North), Ann Anderson (Rancho Santa Barbara MHP) GSMOL Associate Manager (So. SB County), Craig Hull (Sea Esta Village MHP (Ventura), GSMOL Vice-President Zone B-1.

The staff report for the March 1 hearing confirmed that State law allows the County to develop a MH park closure/conversion ordinance, as adopted by SLO County. Concerned that the County's proposed 2011-12 Work Plan listed it only as a mid-term project (within the next 3-5 years) & that we had already waited over three years since the Board's prior directive, our challenge was to get the Board to raise it to a much higher priority (or pass a moratorium on closure/conversion until an ordinance is adopted).

Letters of support were sent by MHP HOAs & GSMOL Chapters, & by organizations including the Santa Barbara County Action Network (SB CAN) & the Santa Maria Community Coalition (of which NSBMHT is a member).

Speakers at the Hearing included: Bill Heintz (NSBMHT president), Marie Pounders, south county MHP leaders (Rosalie Hallock Sr., Linda Taylor, Valerie Watt, Anne Anderson, Jim Richard, Sharon Rose), & Ron Faas (NSBMHT LAT coordinator & subcommittee chair).

Thanks also to MH Residents from five NSBMHT area parks who attended the Hearing: Casa Grande, Knollwood, Quail Meadows East, Orcutt Ranch, & Sunnyhills., and those of four south county parks attended the hearing remotely in Santa Barbara: Rancho Santa Barbara, San Vicente, La Cumbre, and Blue Skies.

Ron Faas,
NSBMHT LAT coordinator & MHP closure/conversion ordinance subcommittee chair

SANTA CRUZ COUNTY FORMS ADVOCATE STRATEGY TEAM

Craig Hull, GSMOL Vice President Zone B-1, asked his Managers to help with the GSMOL goal of getting two Bills successfully through the State Legislature. Manager Rick Halterman and Associate Manager Mardi Brick enlisted the help of activists in their area for action.

John Mulhern, President, Shoreline Estates Home Owners Association, agreed to co-chair the new group with Mardi Brick. We call it the GSMOL Advocate Strategy Team (AST). We have met twice to define and assign the task of convincing local jurisdictions to pass Resolutions in favor of AB 579.

Our success rate was 100%. We now have Resolutions of Support authorized by the Santa Cruz County Board of Supervisors and the cities of Santa Cruz, Capitola, Scotts Valley and Watsonville for AB 579. Next we will seek their approval of SB 444.

Our grass roots thrust is now working to find activists in each Park in our county who will volunteer to write letters of support and make phone calls to the Legislators serving on the Assembly Judiciary Committee and the Senate Transportation and Housing Committee.

Our 12 member GSMOL AST is also going to potentially supportive organizations in our area to get letters of support

from our friends and neighbors who are not in Manufactured Home Parks but who know that these two Bills will help to provide badly needed affordable housing in their communities.

Hopefully as each of you read this article each of you will become determined to actively work for the passage of AB 579 and SB 444 with your very own grass roots effort.

Mardi Brick
Region 8 Associate Manager
GSMOL Advocate Strategy Team

Highlights of January 21, 2011 Board Meeting

- Budget is still very tight and therefore the Board decided to convert several scheduled in-person Board meetings to conference call meetings in order to save costs
- The formation of the GSMOL Education Fund 501 (c) (3) is progressing. It will be able to receive tax-deductible contributions, encouraging greater corporate sponsorship of our events and enhance our chances of receiving grant monies. It will be a separate entity from GSMOL, Inc. and have an independent Board of Directors.
- Roger McConnell, VP of Zone A-1 agreed to Chair the Membership Committee and is seeking qualified members from each zone to serve on the committee, especially if they have some marketing expertise. Consultant Michael Perri continues to volunteer his time to advise the Board of Directors.
- The 2012 GSMOL State Convention in Sacramento will be held at the Lions Gate Hotel April 13-15, 2012. Room fee will be \$89 per night.
- Our Legislative focus for this year will be to fight the forced condominium subdivision of MH parks and to combat the barrage of lawsuits against cities with Rent Stabilization Ordinances

RESIDENTS OF NOMAD VILLAGE FACE 50% RENT INCREASE

On January 26, 2011, the residents of Nomad Village Mobilehome Park received a Notice of Increase in Monthly Rent effective May 1, 2011 from Waterhouse Management, which owns the park.

In addition to retroactively applying CPI increases which had not been applied for any of the years going back to 2008, residents were told their space rent was being increased "in accordance with the terms of the [Santa Barbara County Mobilehome Rent Control] Ordinance" by the amount of \$161 per space per month.

Nomad Village is one of four mobilehome parks that neighbor each other on Calle Real and Old Mill Road in the unincorporated area between Santa Barbara and Goleta. Many of the residents of the 150-space, all-ages park are on low or fixed incomes. The \$161 plus three years' worth of CPI raise represents as much as a 50% increase for some of them.

Waterhouse maintains that everything they are doing is in accordance with the SB County Rent Control Ordinance. The resident representatives believe otherwise. For one thing, the initial letter did not provide any itemization of expenses for which reimbursement is sought, as the RCO requires. After the first Meet & Confer in February, the company provided the resident reps with figures, some of which have been called into question.

Zone B-1 VP Craig Hull and Region 8 Associate Manager Anne Anderson (who lives in neighboring Rancho Santa Barbara) met with the resident reps on March 3 to discuss ways in which GSMOL can help them. Their main concern is to be able to present their case to an attorney, and the cost that this will entail. Some possibilities were discussed which are still in process as of this writing.

Anne Anderson
Region 8 Associate Manager
President, Chapter 49 Rancho Santa Barbara

ZONE D/REGION SEVEN NEWS

At Santee Mobile Estates in Santee, Angie, a 91-year old lady was threatened with eviction because her son and his wife moved in as caregivers. The son, Al, is over 55 years old and they had a doctor's written orders that mom needed a caregiver. The park manager told them that Al and his wife had to move out of the park with no reason given. Angie said no, she needed them. The park served her with an eviction notice and refused to accept her space rent payment. She was so stressed that she ended up in the hospital. Al then called Michael Turko, a local TV newsmen who reports stories of unfair situations calling them "It Ain't Right." He came to their home and did a camera interview with her son about the situation who was joined by many of the other residents supporting him. Turko also went to the hospital and interviewed Angie. He found that they had done nothing wrong. He put the story on KUSI NEWS. A San Diego attorney, Joseph Fox, who knows the MRL, seeing the story, stepped up and contacted the owners of the park. Joseph Fox is also a past Vice President in the park owner's organization, Western Manufactured Housing Communities Association or WMA.

The next interview was the day Angie came home and the district property manager also came and said they wouldn't evict her. Although he said on camera that they would not evict the Angie, the rent check still was not accepted for a second month. He would not commit on camera that they would accept the son and daughter-in-law as residents. He was requiring a credit check for Al which is certainly not necessary in a caregiver situation. This has become a tactic of park owners when they want to "get rid" of someone, to just not accept their rent for 3 months so they can evict for "non-payment of rent." Mr. Turko returned once more to the home for the final interview after the district manager had finally agreed that the son and his wife could stay. So the final outcome was that both mom and her family are allowed to stay in her home where she has lived for 30 years and their third month rent check has now been accepted as well as the prior 2 months. We're certainly glad this situation turned out OK for this family and appreciate that Joseph Fox intervened following the exposure by Michael Turko and KUSI news.

Karen Bisignano
Associate Manager

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If so, you can "op-out" of the mail distribution list and join our E-mail distribution list. That way, you will receive your copy several days sooner, be able to store it on your computer, be able to "word search" articles and print specific pages. If you are interested, visit the GSMOL website at www.gsmol.org and use the "Contact GSMOL" function to request the change from hardcopy to electronic copy of the Californian

GSMOL WHO'S WHO

ZONE A

(REGIONS 4, 11 & 14)

REGION 4

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REGION 6

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ZONE D

(REGIONS 7 and 9)

REGION 7

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Don Greene

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Escondido, CA 92027
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don.greene@cox.net

REGION 9

Riverside County

ASSOCIATE MANAGERS

Ivan McDermott

21100 Hwy. 79, #122
San Jacinto, CA 92583
Phone: (951) 654-7297
Unk7828@cs.com

Gail Mertz

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Grant Yoders

27250 Murrieta Rd. #205
Sun City, CA 92586
Phone: (951) 679-7030

Donna Banks

PO Box 310
Sun City, CA 92586
Phone: (951) 927-3397
casabubble@aol.com

For location of Zones and

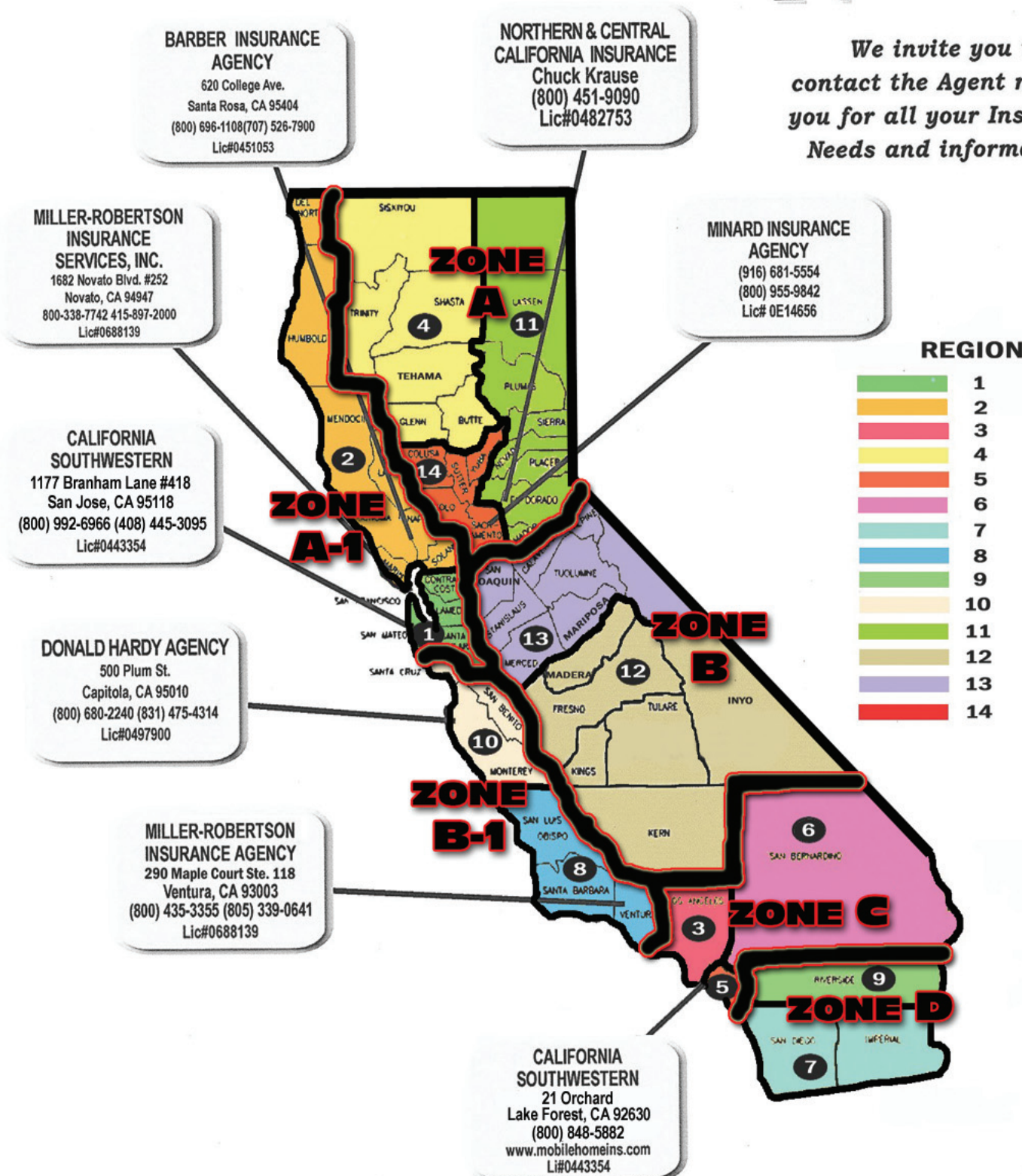
Regions, refer to map on page

15. If you have a problem, start with your GSMOL chapter or homeowner association leaders and then work your way up the chain of leadership from GSMOL Associate managers to Assistant managers to Region managers. For general questions, contact the GSMOL home office at: 1 (800) 888-1727.

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!

Check # _____ Amount _____ Date _____



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