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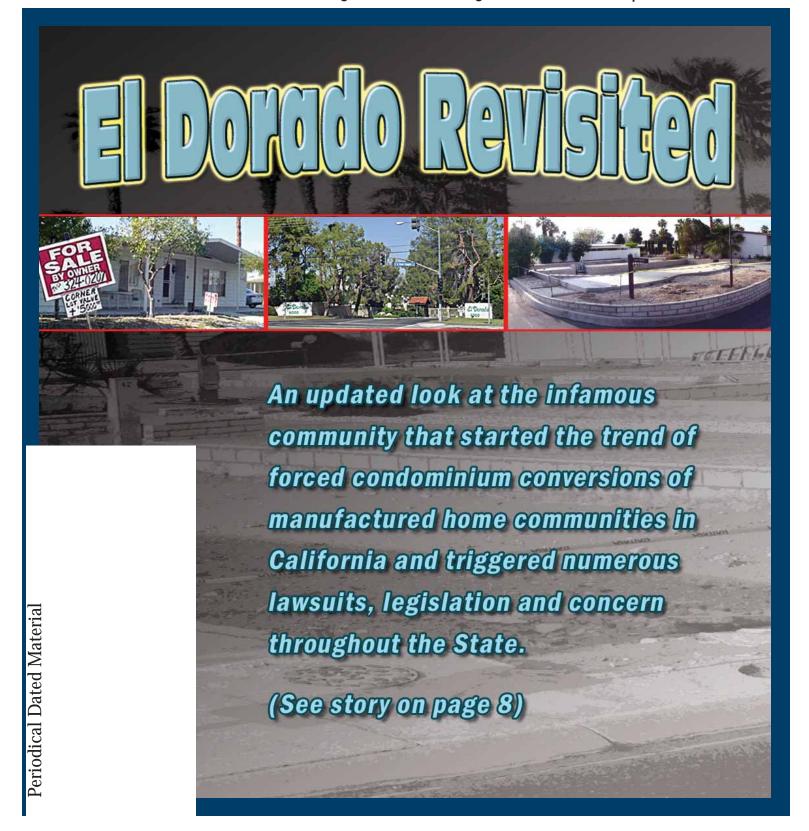
# CALIFORNIAN GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

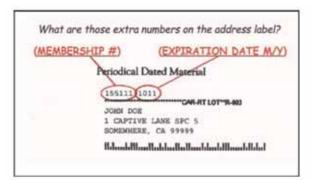
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Issue 5

--GSMOL-- Advocating for Homeowner Rights Since 1962

September/October 2011





#### THE CALIFORNIAN (USPS 898-320)

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# President's Report



Jim Burr, GSMOL
State President
Let's Take a Closer Look
at the Many Resources
GSMOL Makes Available to

If you are like me, we all may overlook some of the many resources resulting from membership in GSMOL. Actually, they are all around us. However, when we first become aware of them, we think, "Oh, that's nice...." then promptly set it aside where it goes out of sight and out of mind. And it often remains there even if an incident arises when we could put it to good use.

**Our Members** 

This can cause some to ask the age-old question, "What has GSMOL done for me, lately." And if this happens to occur when the membership dues statement arrives, it could well be one reason we find our dropout rate remains higher than it should be, even though our new membership is increasing according to Treasurer Bob Ogle's latest report. Every single day, MH owners throughout California benefit from laws initiated by GSMOL. Whether it be the ability to sell your home in place, have meetings at the clubhouse, "just cause" eviction protection or countless other protections resulting from GSMOL advocacy, MH owners in California enjoy far more protections than homeowners in most other states.

With the increase in the threats to the affordability and viability of our affordable housing lifestyle, we need to become even more aware of the resources available to assist us. One of the most valuable assets you have is our "Human

Resources", or the growing number of trained Region Officers, including Region Managers, Assistant Managers and Associate Managers, who can assist you in resolving issues within your park. They have access to other resources including their Zone Vice president, the home office, our legal and legislative professional advisors, and legal assistance funds available to members.

If you do not have a homeowners association (HOA) or GSMOL Chapter in your park, the first step will be to assist you in reactivating your GSMOL Chapter.

As I write this today, I responded to a long-time member in Napa County who asked, "Who do I contact for help"? I referred him to the Californian and reminded him of the "GSMOL Who's Who" that lists the Region Officers with their contact information. Then there is the colored state map inside the back cover provided by our Insurance Agents Education Network. From this, you can determine the Zone and Region you are in and find the corresponding Region Officers in the "Who's Who".

The "Chain of command" we use is becoming more effective in resolving your problems. However, the terms "Chain" and "Command" can sound somewhat harsh, so we prefer to use "Reporting Relationships". This follows the organizational chart used by most business entities. We are member-driven from the ground up and not from the top down. This is the process that allows members to bring issues to Region Officers and it works its way up the ladder until it is resolved. Some are resolved quickly at the ground level while others take longer at the upper level.

In addition to the more obvious ones mentioned above, I have listed a few more resource aids below:

• An assortment of recruiting brochures and flyers available from the home office;

some are available in Spanish. They include an extensive list of "GSMOL Accomplishments" "Why you need GSMOL and GSMOL needs you", and more...

- Chapter Presidents Manual full of helpful ideas, reference materials; it's about all you need to know to run an effective GSMOL Chapter. Any new presidents of new chapters or those of older chapters who do not have a manual should contact their Region Officer to obtain one.
- Regional Leaders Development Manual. This was created and introduced late last year and serves primarily as a resource reference manual for Region Officers and Vice Presidents. It allows them to respond to some of your questions or concerns rapidly.
- Extra copies of current and back copies of the Californian are available to members from the home office. Just call and they will be shipped to your home.
- GSMOL website; for those who are Internet-active, don't forget to check out the GSMOL website at gsmol.org. Look for upgrades in the near future that will include a member's only section. This will start as a resource library for recent articles by GSMOL Corporate Counsel Bruce Stanton, the President's Message from recent issues of the Californian, and more.
- Mobilehome Residency Law (MRL) book with frequently asked questions will be available for 2012. This year's legislative session resulted in no changes in the Mobilehome Residency Law; however, the Frequently Asked Questions and the index have been improved by the Senate Select Committee Consultant, Stephanie Reid.

The take-home message here is to remind you of a few of the many forms of assistance GSMOL makes available to its members. Many more may fit your specific needs as they arise if you will seek them, as you need them. This starts by contacting your closest Regional Officer, Zone Vice President or the Home office.

# **Capitol Report**

by Brian Augusta, GSMOL Lobbyist

The 2011 legislative session is behind us now, and it's time to look to next year. Over the past year, GSMOL has made some important strides in communicating with members and re-engaging with manufactured homeowners throughout the state. We would like you to be part of those efforts in the coming year.

Next year is an election year, and it's an excellent opportunity to engage with both incumbents and new candidates seeking local and state office, on manufactured housing issues. Over the next year you'll see campaign events, town halls and other public events from those seeking office. We encourage GSMOL members and supporters to attend and ask the candidates questions about their positions on important manufactured housing issues. If you want to find out about candidates and events in your area, contact your zone or regional leaders for more information. You'll also be hearing more from us on this, as we get close to Election Day.

Another important way that members can get involved is to share with us your ideas for new legislation. The fall is when we begin thinking about ideas for legislation next year. While there are a lot of considerations that must go into determining our legislative priorities each year, it begins with you, the members of GSMOL. We want to hear your ideas---big and small. If you have access to the internet, simply email us your idea newideas@gsmol.org. Don't have Internet access? No problem, you can mail us your idea at:

New Ideas c/o GSMOL 11021 Magnolia Street Garden Grove, CA 92841

A few guidelines to keep in mind:

- Keep it brief. A few paragraphs should be enough to explain the idea. If we need more information, we'll contact you.
- Is this a problem that homeowners are experiencing in other parks? The best ideas are those that have statewide implications. A problem that is occurring just in your park is probably not a good subject for state legislation.
- What evidence do we have that legislation is needed? Examples, stories, statistics are very important for helping convince legislators that this is a problem worthy of a new law.

Remember that many good ideas never become law, and we can't respond individually to every suggestion, but be assured that your ideas are critical to helping us shape our legislative agenda. So let us hear from you.

Finally, would you like to take a more active role in helping get legislation passed? You can be part of our regional team of homeowners working to build support for our legislative agenda next year. Help organize homeowners to write letters, meet with legislators and help us win. If you want to get involved, contact your zone or regional leaders, or email Evan Hawkins at Evan@housingadvocates.org.

# ELTH SUCCESS STORY

BLUE PACIFIC RESIDENTS PUR-CHASE THEIR PARK

CASE: Robert Alcorn, et al. v. Doheney-Vidovich Partners

In December 1, 2006, the residents of Blue Pacific Mobilehome Park in Aptos, CA, filed a lawsuit against the park owner for failure to maintain their park. David Semelsberger and James Allen of the San Diego law firm of Endeman Lincoln Turek & Heater, LLP represented the residents. As part of the 2009 settlement of the lawsuit, the residents were given the opportunity to purchase the park at a reduced price. On August 30, 2011, after a long loan process, the residents closed escrow on the park purchase.

The residents contacted Endeman Lincoln Turek & Heater, LLP in 2006 because of problems with their electrical, water and sewer systems, as well as the clubhouse, pool and streets. After the lawsuit was filed, the park owner made improvements to the clubhouse and streets.

The Plaintiffs represented about 50 of the 100 total spaces in the park. The Plaintiff group reached out to non-Plaintiff residents, and obtained 85% participation of all residents to buy the park.

Deane Sargent of PMC Financial acted as the loan consultant for the residents, who were able to obtain a first mortgage loan guaranteed by HUD. The loan is a 40-year, full amortization, non-recourse loan made to the Blue Pacific Mobile Home Owner's Association (BPHOA). The financing structure includes hundreds of thousands of dollars for reserves, such as for future replacements, debt service, daily operations, and a fund for additional improvements to the park. David Loop acted as the Association's attorney in the purchase process. Mr. Semelsberger or Mr. Allen can be reached at 619-544-0123.

# THE PARK CLUBHOUSE: USE AND AVAILABILITY



By: Bruce Stanton, Attorney

ABOUT THE AUTHOR: MR. STANTON HAS BEEN A PRACTICING ATTORNEY IN SAN JOSE SINCE 1982, AND HAS BEEN REPRESENTING MOBILEHOME RESIDENTS AND HOMEOWNER ASSOCIATIONS AS A SPECIALTY FOR OVER 25 YEARS

The park clubhouse is a structural focal point of the mobilehome park community. It is a centrally located gathering place for residents, and the most important common area facility in the park. It typically contains recreational rooms and facilities, bulletin boards and other sources of information, along with the park manager's office. The ability to use and access the clubhouse is an important benefit for residents, not only in connection with facilities such as pool tables, card rooms and for Bingo games, but also as a meeting place for large groups within the resident community. When issues of community concern occur, residents need a place where all can hear speakers, meet on important issues such as rent increases or park maintenance, or perhaps meet political candidates running for office. While many clubhouses are open to residents at all reasonable hours, as required by the Mobilehome Residency Law (MRL), there has been an increasing policy of some parks to restrict or limit times of usage, or to deny certain types of usage. A park owner, as the property owner, is entitled to reasonably regulate clubhouse use. The MRL guarantees of common area use, together with the right to assemble for lawful purposes, must also be honored. These competing rights sometimes come into conflict. But the law is drafted in such a way that conflicts really need not occur. A park owner which operates its common area facilities correctly will not impinge upon any of the usage requests of the residents, provided they are reasonable. Park owners and residents alike can and should agree upon clubhouse usage rules which both sides can embrace. Unfortunately, the amount of inquiries and complaints received by GSMOL about this issue shows that clubhouse usage can sometimes become a bone of contention which may even require legal intervention.

So what law actually governs clubhouse usage? We start with Civil Code sec. 798.24, which states that each common area facility (this would prominently include the clubhouse) must be "open or available to residents at all reasonable hours." A "common area" is any place within the park where the ability to use is common to all residents, such as streets, green belts, recreational facilities, laundry rooms or a clubhouse. This section thus requires that the clubhouse either be open "or" available for use by some sort of key system that residents could access, at all "reasonable times". So what is "reasonable"? The answer is not precise, but should be tied to the hours that an average person would typically want to use the facility. Normally a clubhouse would open to residents starting at 8 or 9:00 a.m., and might close by 9 or 10:00 p.m. A twelve hour time span is probably average. Requiring that a clubhouse remain open long after dark could be deemed to constitute "unreasonable" hours, since few residents might use the facilities that late, and park management would not wish to incur liability for persons walking through darkened streets or driving to and from the nearby parking areas at that hour. Some parks have been known to change their hours during winter months for this very reason. Weekend hours should also be allowed, so that residents who return from work late on week nights are not deprived

of clubhouse usage. The bottom line is this: The clubhouse should be open long enough to accommodate the average times of use residents are likely to make of it on any particular day, including weekends. Management cannot close the clubhouse all together unless there are clear health and safety reasons which would prohibit occupancy.

Do clubhouses need to comply with the Americans with Disabilities Act (ADA)? Probably not, except where members of the public at large are invited to enter, such as the rental office.

The hours of use also must be posted at the facility, according to 798.24. The posted hours should appear in the park rules, so that if the park owner wishes to change the hours, a proper notice of amendment must be given pursuant to 798.25(b). Hours can be amended upon 60 days notice to residents. But, they must remain "reasonable" as indicated above.

Are any particular types of uses guaranteed? The answer is found in 798.51 (a), which prohibits any attempt to deny residents the right to peacefully assemble in the clubhouse at reasonable hours, especially in connection with "noncommercial purposes relating to mobilehome living" or matters of "public interest". Civil Code sec. 798.50 states a clear legislative intent to protect the right of mobilehome park residents to "peacefully assemble and freely communicate with one another", both with respect to "mobilehome living or for social or educational purposes". Closing the clubhouse at reasonable hours would prevent this from occurring. And while it is clear that the park owner can deny usage for commercial purposes, the clubhouse cannot be closed to meetings of non-profit organizations like GSMOL, which are clearly "noncommercial" in nature. Nor can residents be denied the ability to meet together as a homeowners association, as a social club or to hear candidates for office. Limiting these rights or assembly will violate the MRL.

Continued on page 7

# PUBLIC UTILITIES COMMISSION INVESTIGATION FOR SUBMETERED UTILITY SYSTEMS MOVES FORWARD

#### By: Bruce Stanton, Corporate Counsel

An Order Instituting Rulemaking into the issue of sub-metered utility system transfers continues to move forward at the California Public Utilities Commission (CPUC). This investigation was opened after a request by park owners to have the PUC adopt rules and regulations to facilitate the transfer of sub-metered gas and electric systems now operated by park owners back to the serving utilities, such as Southern California Edison, SDG&E or PG & E. This CPUC investigation affects all mobilehome residents who live in parks with individually metered spaces for gas and electric.

Water is not involved. If your park owner reads the meter and bills you each month for gas and electric service, then you live in a submetered park. The park owner, rather than the serving utility, operates these systems, and receives a monthly "discount" of about \$26.00 per space when both gas and electric service are sub-metered. This benefit is provided to fund the cost to maintain, repair and upgrade the energy systems. But few park owners have used the money for these purposes over the years, and many sub-metered systems are breaking down, reaching the end of their useful life or otherwise not sufficient to meet the energy demand of the residents.

Prior CPUC decisions prohibit a park owner from passing through any of these costs to homeowners, since the park owner has already been paid to operate and maintain the system through the sub-metering "discount". But there are no restrictions or requirements about what the park is to do with the money once it gets it; for most parks there has been no reserve account and the discount funds are used as the park wishes. The cost to upgrade, remove, replace or maintain the systems is high, and since homeowners cannot be billed for this amount, the park owner would have to absorb the entire cost. Courts have also held that in a rent control jurisdiction, rent cannot be increased to cover this cost. Left without a pass through or a rent increase to

reimburse the cost, the park owner who doesn't want to use its "discount" money is left with but one remedy to avoid paying the upgrade or repair bill: give the system back to the serving utility in its present condition. The problem is that the utility probably will not agree to take the system back until it is first repaired by the park owner. Therein lies one of the main controversies which the CPUC must resolve.

This is an important issue which has been shifted from recent legislative efforts by park owners, to internal CPUC rulemaking. GSMOL is participating as a party to the proceeding on behalf of our members, and is the only resident organization attending the hearings. We have pointed out that the "bind" the park owners find themselves in is of their own doing. The monthly discount received by the park owner does not only include reading meters and maintenance of the system, but also all required repair, refurbishment and upgrade costs. We shall join with the utility advocacy organization known as TURN to protest any solution where all California ratepayers, including mobilehome residents, have to foot the bill for the utilities to repair and upgrade the systems which they inherit. Mobilehome residents should not pay twice to repair or upgrade their gas or electric systems.

Thus far the hearings have been concentrating on defining the issues and establishing what is important to each of the parties. This includes all of the major serving utilities, along with TURN, GSMOL and a park owners' organization, WMA. Parties of interest proposals have now been calendared to be submitted by October 21, 2011, with all day workshops to follow on November 2nd and 3rd. We will obviously be very interested to read the solutions which might be proposed. During the past few months, the CPUC has also been trying to gather information and data from the park owners themselves re: the current status of their systems and their desire to transfer the systems back to the utilities. A written survey was sent to thousands of park

owners asking a number of questions. About 700 responses were received. While this is far from empirical data which can be quoted as accurate, the survey results do show some interesting trends. Here is a sample of the park owner responses:

Question: Has the gas or electric system ever been completely replaced?

Answer: Yes: only 13.5% of responding parks have replaced electric systems, and 8.5% have replaced gas systems.

Question: Are you (i.e. the park owner) considering replacing your entire gas or electric system in the next 5 years?

Answer: Less than 5% of responding parks said "yes".

Question: How many park owners have spent more than \$10,000.00 on system repairs in the last 10 years?

Answer: Gas repairs: Only 21% of responding parks Electric repairs: Only 30% of responding parks.

Question: What amount are you planning to spend to replace or upgrade in the next 10 years?

Answer: Only 12.8% of parks are planning to spend between \$10-100,000 on electric systems. Only 11.6% of parks are planning to spend the same amount on gas systems.

Question: Would you be interested in transferring the systems back to the local utility? Answer: 35.5% said "No"; 64.5 % said "Yes".

These responses show that while a majority of park owners desire to transfer their systems, few have put or are planning to put money into the systems. GSMOL has also begun surveying our active Chapters to determine what the residents say about the safety or performance of their gas or electric systems. This investigation is about to reach its most critical stage, and GSMOL shall continue to report its progress.

# THE PARK CLUBHOUSE: USE AND AVAILABILITY

Continued from page 5

Can a park owner charge a fee to use the clubhouse, or require insurance or cleaning deposits? The answers are found in 798.51. Subsection (b) states that no cleaning deposit can be charged in order to use the clubhouse for any of the informational meetings or rights of assembly described in 798.50 or 798.51, as long as a resident is hosting the meeting and all park residents are allowed to attend. This would include GSMOL or homeowners association meetings. In addition, 798.51 (c) states that no liability insurance can be required for such uses. The lone exception is where alcoholic beverages are to be served; in that case the park owner can require an insurance binder.

The park owner can limit certain types of use not guaranteed in the

MRL. For example, 798.51 (c) allows rules which prohibit alcohol use all together.

The park can also limit private uses, such a birthday parties or the like, and can charge cleaning deposits or require insurance for such uses. That same section allows the park to enforce parking or building occupancy restrictions for any clubhouse usage, and residents must comply with any such rules or regulations as long as they are "reasonable". This might need to be determined on a case-by-case basis.

Finally, it is reasonable for a park owner to require that clubhouse usage be reserved ahead of time by the resident or organization wishing to use it. It would make no sense to have more than one use happening at the same time, and the park owner is entitled to plan ahead for uses just as residents

want to be sure that their intended use time is reserved.

But the reservation re-

quirement cannot be so onerous that it has a chilling effect upon the ability to use the clubhouse. A park rule requiring 6 months notice of any intended usage would likely be termed "unreasonable" and not enforceable. On the other hand, an advance booking requirement of thirty days or less is probably reasonable. And management candeny protected meeting rights by alleg-

ing that the clubhouse is

someone else and not

reserved

always

available. Any such tactic would quickly be seen for what it is: a calculated attempt to deny usage based upon alleged unavailability.

In sum, clubhouse usage is a valuable component of what rent is paid for, and should be protected and enforced. Kudos to all of the park owners who provide a clean, well maintained clubhouse for their residents to use and enjoy. For those intent upon taking those rights away, by denying GSMOL meetings or closing the clubhouse at reasonable hours, residents are encouraged to review your MRL and demand in writing that your right to use the clubhouse be respected.

# Do I Have to Install a Carbon Monoxide Detector in My Home?

No, the new law that went into effect earlier this year does not apply to mobile/manufactured homes but we do encourage you to comply if you have gas water heaters, ovens, stoves, etc.

\*\*\*Remember to replace
batteries in your smoke
detectors and that you may
be able to get new
detectors through your local
fire department or other
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# El Dorado Today—Landmark Forced Condo Conversion Revisited

By contributing GSMOL member Bob Slagle

#### The El Dorado Impact

The El Dorado park owner tried unsuccessfully in the early 1990's to increase rents to cover his highly leveraged purchase of the mobilehome park. (Palm Springs is a rent-controlled community). He then hooked up with a lawyer that figured out how to manipulate state conversion codes designed for residents to own the land under their homes for his benefit. They proceeded to force the conversion of the park to condominium ownership where the spaces could be sold to the residents at very profitable prices.

The California subdivision law requires local government agencies to first approve these kinds of projects before they are submitted to the state for processing and approval. The City demanded some conditions of approval to protect the residents and the park owner sued on the basis that the law does not give the City authority over the project. The Superior Court agreed with the City and the park owner appealed to the Fourth District Court of Appeal where the lower court's decision was reversed, allowing the park owner to proceed with the project. The ruling became the landmark "El Dorado decision" and has been used by the park owner's lawyer to promote forced park conversions throughout the state. At present, the lawyer's firm is involved in approximately 20 similar cases.

It is interesting to note that the City had to pay for extensive legal costs and also eventually agreed to settle a companion lawsuit for damages by paying an additional amount of over \$900,000 rather than continue to rack up more expensive legal fees. With all of the legal activity and conflicting court decisions in these "condo" conversions, bills have been introduced in the state legislature to clarify the governing codes to give residents a voice in the conversion process. One passed both houses last year, but the Governor would not sign it into law. A similar bill, SB 444, was introduced this year, but it failed to receive enough votes in the Senate. In the meantime, the conversion battles remain, although they are somewhat on hold.

#### El Dorado Initial Sales Success

The delay in the El Dorado conversion caused by the City's conditioned approval and the subsequent legal battles in the courts could not have happened at a better time for the park owner. The application to the City for approval was initially filed in 1993 and accepted as complete in 1999. The trial court's decision was reversed on March 14, 2002, permitting the conversion to proceed. In 2002, the real estate market had entered a phe-

nomenal growth period with prices increasing at a rapid rate. In the ensuing years, the demand for low- and moderate-priced housing became fierce, and this was particularly true for second homes in resort areas, which applied in significant extent to El Dorado. During this period of market frenzy and with liberal financing, the El Dorado owner was able to sell a significant number of spaces. Prices were increased several times.

However, by 2006 the bubble began to deflate and El Dorado space sales to existing residents fell off. The only spaces that have sold since then are those that must be purchased when residents who did not initially purchase their space sell their mobilehome. New buyers must pay the park owner's fixed price for the space which, means the resident must adjust the price of the mobilehome in order to sell in a competitive market.

#### After the Bubble

Some residents who either could not afford to buy, or did not want to face increased rental rates, left the park. Some sold at reduced prices, some gave their homes up for salvage and some simply abandoned their homes.

By 2008, out of 377 total spaces, over 50 were vacated, leaving sand pits, paved parking spaces, utility risers and free-standing mail boxes. At present, there are approximately 70 vacant spaces and a number of vacant mobilehomes that have been taken over by the park owner. He apparently has decided to prevent the negative visual effect of more vacant spaces and does not rent the homes for liability and other reasons.

The park owner still owns over 150 spaces that are either rented to pre-conversion residents, are vacant, or have vacant mobilehomes. The vacant spaces have been listed for sale for at least three years with no buyers and, in January of 2010, the park owner's lawyer submitted an offer to the City for a bulk purchase of 147 lots (87 rented, 60 vacant). There was no response.

#### **Current Sales Activity**

As of May 15, 2011, in the local multiple listing service (MLS), four properties (home and lot) were listed for sale with prices ranging from \$97,900 to \$105,000 and one listed for \$105,000 was in escrow. Over the past six months, four have sold ranging from \$95,000 to \$116,995 and ten listings expired with prices ranging from \$120,000 to \$179,000.

The current listings and those that have recently sold were priced near or below the amount originally paid for the lot alone. Had the lots been priced reasonably at the outset, many more residents would have purchased their spaces, most of those who left the park would not have abandoned their homes, most who stayed would still have equity in their homes and the park owner would have effectively sold out his project, making the conversion successful for all parties.

#### **Bottom Line**

Although the park owner was successful in forcing the conversion of the El Dorado mobilehome park and in initially selling some of the spaces at highly profitable prices, the sales occurred during an unprecedented period of housing market frenzy. Today, with the large amount of abandoned spaces and vacant mobile homes, it is no wonder market activity as well as the quality of life in the park have suffered. This is not good for the residents nor for the park owner. The landmark El Dorado forced-conversion experience is a worthwhile study for park owners and residents alike.

Editorial note: Mr. Slagle is a victim of a forced condo conversion at Palm Springs View Estates in Palm Springs and has created an excellent website on the conversion issue: http://www.deserthomefront.com. While disappointed with the defeat of SB 444 earlier this year, GSMOL will continue to explore ways to protect homeowners' rights to fight forced condo conversion of their communities.



One of the dozens of vacant home sites at El Dorado

# **Convention News**

By Mary Hahn

#### HELP CELEBRATE GSMOL'S 50TH ANNIVER-SARY

There are only 6 months before GSMOL's 50th Anniversary will be celebrated at the Convention to be held April 13-15, 2012, at Lions Gate Hotel in McClellan, California (near Sacramento). The room rates are \$89.00 per night. Amenities are Free Airport pick up and return, free continental breakfast for registered room holder, no parking fee, and a microwave oven in each room. The committee has tested the food at the hotel for quality and it comes out with an A+ plus rating. The hotel is situated on the former McClellan Air Force Base.

At the Convention, you will meet your fellow mobilehome owners, swap stories and enjoy their company at the breakout sessions, luncheon and banquet. The Convention Committee is working very hard on the Breakout Sessions preparing information of interest to all members. Breakout sessions were very well received at the previous Convention, and we know you are eager to attend them. The subjects of the sessions have not been finalized yet, but no matter what the subject is, you will learn from the presentation.

All GSMOL members are invited to attend. If you are chosen as a delegate, you have work to do at the General Session. Non-delegate "observers" are invited to attend the General Meeting where business is conducted. We have a Lay-Away Plan available for you to put aside money toward your registration fee, so you won't have to pay for it all at once. Your committee is working very hard to make this a bang-up 50th Anniversary celebration. If you have any questions, please call

Convention Co-Chairs, Diana Johnson, at 650-369-6842 or Mary Hahn, 919-726-2855.

PLEASE SAVE THESE DATES IN APRIL FOR ATTENDANCE AT THE CONVENTION-DON"T MISS THIS "GOLDEN" OPPORTUNITY!

# TIME RUNNING SHORT FOR SAVING FOR CONVENTION!!

GSMOL's 50th Anniversary will be celebrated at the Convention, April 13-15, 2012. You have a chance to put aside money for your registration by using the New Lay-Away Plan. The plan works this way: Shares are sold in incre-

ments of \$5.00 and you can buy shares to save for registration expenses of the convention. You can buy 1 share at \$5.00, or more each month. When purchasing a share, send a check for amount for shares you want to the GSMOL, 11021 Magnolia Street, Garden Grove, CA 92841.

When money is received, you will be provided a receipt for the shares. When you send in your registration, attach your receipts to your application and subtract the amount of the shares you purchased from the total amount of the registration. If you do not attend the convention, the pre-paid amount of your shares will be refunded to you.

You can use this form for purchasing your shares:

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ADDRESS			
CITY			
STATE ZIP CODE			
RECEIPT ACKNOWLEDGED;			

# Form a GSMOL Superchapter in Your Area

Do you live in a MH park that used to have an active GSMOL chapter but doesn't any longer? Many MH parks find themselves in that situation because there might have been a shift of focus to Home Owner Associations (HOAs) to represent home owners.

There are many reasons to have a GSMOL chapter in every MH park but if it is difficult for your park because of a lack of members or lack of leadership, uniting with other MH parks in your area to form a GSMOL "superchapter" might be the best solution.

Typically, an already active chapter, if willing, could serve as the "anchor" park for the superchapter that could include one or more "satellite" parks as members of the superchapter. A superchapter could be two adjacent parks owned by the same park owner, or it could include several parks in fairly close geographical proximity. In some cases, all MH parks in a city could create a GSMOL superchapter.

The mission of both chapters and superchapters is to stimulate interest in GSMOL's mission; whether it be membership and leadership development, homeowner advocacy, legislative advocacy, homeowner education or fundraising. Superchapters have the ultimate additional goal of encouraging satellite parks to form independent GSMOL chapters of their own eventually, once their members and leaders reach a level of knowledge and confidence to operate their own chapter. Those parks wanting to act as an independent regular chapter cannot also be a member of the superchapter but they could work hand-inhand with superchapters.

Superchapters need not have an anchor park and whether that is the case, or not, a superchapter can have leaders from more than one park; in fact, we encourage that satellite parks contribute some leadership. Superchapters need to reg-

ister with the GSMOL home office and can qualify delegates to the GSMOL convention, just like regular chapters, based upon the number of members they represent. Needless to say, the greater the number of parks making up a superchapter, the more important it is to avoid focus upon the isolated issues of any one particular park. If disputes arise over representation or operation of the superchapter, GSMOL Region leaders and Zone VPs can be called upon to help resolve such disputes.

The superchapter concept is still in the trial stages but we hope it will develop into a valuable part of what GSMOL offers. Please consider working with GSMOL members outside your park to form your own GSMOL superchapter. Please forward questions or suggestions to your Zone Vice President.

Our Newest Superchapter:

GSMOL Chapter 256 in American Canyon recently became one of the state's few but growing number of "Superchapters." A party including the Mayor, Fair Housing reps, Family Resources, and the Lion's Club, was held to mark the official Superchapter designation. GSMOL Zone A-1 Vice President Roger McConnell was present to "anoint them" as an official Superchapter. The new Superchapter includes members from all four of American Canyon's manufactured home parks, and one in Vallejo.

# THEME FOR GSMOL'S 50TH ANNIVERSARY

Put your thinking caps on and think, think about a Theme for our 50th Anniversary Convention on April 13-15, 2012. Maybe: "Hooray, We lasted for 50 Years"; "Watch Us for the Next 50 Years;" Fifty Years and Many More." These are just the examples I thought about when I was writing this article. The Theme should have a remembrance of the last 50 years or the looking for-

ward to the next 50. Whether you are a poet or author or just plain John or Jane, your suggestions are welcome. You will be recognized at the convention for your entry.

STEP UP AND BE RECOGNIZED, DON'T BE BASHFUL, AND SUBMIT YOUR SUGGESTIONS BY JANUARY 1, 2012. You can enter both the Logo Contest and the Theme Contest. We know you have good ideas and look forward to entries for both items.

You can send your suggestions to Mary Hahn, 9116-729-2855, email: maryh2811@aol.com, Diana Johnson, 605-369-6842 email: gsmolreg1@yahoo.com or to the Garden Grove Office. Thanks for your participation!

Annual home registration fees for those with older homes have dropped because the Legislature did not extend the tax increase adopted a few years ago. Your car registration fees have dropped for the same reason.

For those with newer homes paying personal property tax to your County, you can request a re-appraisal if you feel you are being taxed at a value more than what your home is worth. Document your actual home value by obtaining sales figures for comparable homes in your community.

## **ZONE/REGION REPORTS**

#### Zone A/Region 4

by Regional Manager Anne Rucker:

Greeting from the far northernmost area of our state! We read with fascination about the continuing efforts of GSMOL to combat the efforts of greedy park owner corporations to drain more and more money from helpless home owners. That what was once a viable, enjoyable life style for people of modest means to be fast disappearing in the wake of big money is indeed alarming. We commend the efforts of GSMOL to protect us.

Many of us are starting to understand that Resident Ownership of our communities is the most viable long-term solution to our situation. We are avidly learning of the experience gained by Resident Owned Communities to the south.

Our northern parks present the potential for beautiful life-styles. We have natural beauty, less traffic, quiet, and wonderful help-each-other-people in Northern California.

But in our modular home parks we have apathetic attitudes. We must constantly look for not only new membership, but new leadership.

If you live in our area, and would like to know more about what GSMOL can do for your life-style enjoyment, do send me an email at karucker@sbcglobal.net, or phone me at (530) 343 3904.

#### Zone B/Region 12

by Jean Crowder, Region 12 Manager In January 2011, the owners of Arabian Villa/Campus Corral MHPs presented their residents with a five-year pass-through of \$66.00 per month that would be retroactive to May 2011. The purpose of this article is not to bore the reader with all the reasons the residents felt this amount was unfair, why they felt they had to put up a fight as allowed by the Clovis City Rent Control Ordinance or to praise all the residents who worked so hard during the next five months to secure the funds and votes from their neighbors needed to get their case in front of City-appointed hearing officer - or to relive the shock and disbelief when, in spite of everything that should have been on the residents' side, the Hearing Office decisions were on the side of the park owner on all counts. WE LOST.

We lost the battle, but WE GAINED a park

full of residents that stood up together for what they believed and who will stand up together again, when the need arises.

No, I chose not to reiterate every detail of our battle—because it is a story that we are going to hear again and again, unless we as GSMOL members work together to draw strength to our local chapters and help other chapters do the same. With the growing greed of the corporations that are becoming the norm in park ownership, it is more and more important that we gain the power in numbers that will enable GSMOL to continue to fight for the laws that will give us the rights we need to fight the battles as they come up. GSMOL did not lose our battle; the park owners' aggressive profit motive and a city afraid of being sued by them lost our battle.

We need to support GSMOL and help fight for laws at the State level that will help us win our future battles; that gives us rights as homeowners / tenants that will protect from so many battles to fight.

DO NOT MAKE OUR LOSS A REASON TO QUIT; MAKE IT A PROMISE TO KEEP FIGHTING.

#### **ZONE B-1 BUZZ**

Within the two Regions, 8 and 10, of Zone B-1, we have found it very advantageous to create numerous grassroots activist organizations whose goals are to provide resources and information to mobile/manufactured home residents and to advocate for ways to protect and enrich the quality of our lives. Some of our grassroots organizations are city-based, others are county-based, depending on how the parks are clustered. These groups are open to all mobile/manufactured home residents, regardless of affiliation. People who live in mobilehome parks share common goals and there is strength in numbers. Our grassroots organizations promote membership in GSMOL and each has an LAT (Legislative Action Team) coordinator who networks with area park LAT leaders. Our Regional Managers, Assistant Managers and Associate Managers participate in leadership roles within the groups. The members of these organizations are active in communicating the needs of mobile/manufactured home residents to their local Boards of Supervisors, City Councils and State Legislators, in addition to rallying local support for key legislation concerning mobilehome living, senior issues and affordable housing.

Santa Barbara County's long-range planning division has recently released a draft MO-BILEHOME PARK CLOSURE CON-VERSION ORDINANCE that will help safeguard mobile home parks as affordable housing. NSBMHT, the Northern Santa Barbara County Manufactured Homeowners' Team, is an excellent example of one of our grassroots organizations. Ron Faas and his NSBMHT MHP Closure Conversion Ordinance Sub-committee have worked diligently for more than a year to encourage the SB County Board of Supervisors to craft this ordinance. Anne Anderson, GSMOL Associate Manager, is President of SCAMPR, the South County Alliance of Mobile/Manufactured Home Park Residents, and is coordinating efforts in Southern Santa Barbara County to promote the passage of the ordinance. The draft ordinance sets standards for the closure conversion of a MH park to another use and provides for financial compensation and relocation assistance to displaced residents. Specifically, the ordinance would provide the information and process requirements necessary for: 1) park residents to understand their rights for reasonable relocation assistance, 2) the land owners to estimate costs and timing associated with closing a mobilehome park and pursuing an alternative use of their property, and 3) the County decision makers to proceed with an informed and balanced decision regarding the sensitive relocation of County residents and the reasonable economic use of a property for alternative land

The goal is for the SB County Closure Conversion Ordinance to be passed by the Board of Supervisors before Christmas. Santa Barbara County will then join its neighbors, San Luis Obispo County and Ventura County, in having both a Rent Stabilization Ordinance and a MHP Closure Conversion Ordinance in place for the protection of their mobile/manufactured home residents.

Continued on page 12

# **ZONE/REGION REPORTS** (CONTINUED)

#### Continued from page 11

[Editorial note: Closure Conversion of mobile/manufactured home communities for a change of use of the land is just one type of "conversion." Others include "condo conversion," where the land is subdivided into individual parcels of property, and "conversion from 55+ age status to that of all-age status." A variety of local ordinances have been adopted to help protect homeowners' rights when faced with these types of conversion.]

Zone C/Region 5

by Region 5 Manager Mary Jo Baretich; One extremely important item currently happening here in Huntington Beach which affects our local mobilehome homeowners is as follows: Our mobilehome community is being faced with the possible recommendation by the Huntington Beach Intergovernmental Review Committee (IRC) to dissolve our Mobile Home Advisory Board (MHAB) which has been in place since 1993. This board consists of three mobilehome homeowners, three Park Owner representatives, and three Resident-At-Large members (citizens of HB that do not live in mobilehome parks). Steve Gullage, former GSMOL President, and I are members of the Mobile Home Advisory Board.

This MHAB acts as a sounding board where homeowners can express their concerns with their individual park management, cityrelated mobilehome ordinances, Subdivision Conversions of parks, and state laws that affect the mobilehome community. The MHAB has successfully solved many issues and concerns through discussion and mediation. Relevant presentations are scheduled for each meeting, and most recently, a presentation on mobile home park Subdivision Conversion was presented by Maurice Priest of Resident Owned Parks, Inc. (ROP) at City Hall on July 29th, attended by 63 homeowners. This board is our window to the City, and the City's window to the mobilehome community.

I was invited to the Western Skies Mobilehome Park in Anaheim on August 14th for their re-activation of their Chapter #0766. Prior to the meeting, the GSMOL homeowners hosted a tasty potluck dinner. The room was filled to capacity with one of the most enthusiastic groups I have seen. This Chapter, as you may recall, has won a Failure to Maintain lawsuit with the help of the Endeman, Lincoln, Turek & Heater, LLP Law Firm from San Diego.

These are the details of their win: Western Skies Mobilehome Estates Martin J. Singer, et al. v. Anderson North Limited Partnership, et al.,

Orange County Superior Court Case No. 05CC11890

An Orange County jury awarded the residents of the Western Skies Mobilehome

Park, who we represented at trial, more than \$2.2 million against the park owners for failing to maintain the mobilehome park. In addition, an injunction was issued by the Court requiring upgrades to the park's utilities and the construction of a new swimming pool. Of the total amount awarded, \$1.7 million was for punitive damages. The case settled for a confidential amount before the Court heard plaintiffs' motion for an award of attorneys' fees and costs.

Following the Potluck, the GSMOL Officers were voted in, and installed. They then conducted their meeting. Congratulations to all!



Western Skies Chapter 0766 from left to right are: Mary Jo Baretich (Region 5 Manager), Martin Singer—President, David Dugoncevic-Vice President, Kay LeDuc--Secretart and Ray Downing--Treasurer.



Redwood Mobile Estates chapter 0194 officers from left: Marco Franco—Trainee, Jeri Flynn—Sec./Treas.,Ceann Hayes— VP, Barbara Bocca—President, Sean Flynn--Director

# **ZONE/REGION REPORTS** (CONTINUED)

#### Zone D

#### by Tim Sheahan, Zone D VP

I am pleased to report that Region 7 (San Diego and Imperial Counties) Associate Manager, Don Greene, has been appointed to serve as Co-Region Manager with Frankie Bruce and that Region 9 (Riverside County) Associate Manager Donna Banks has been appointed to serve as Region Manager. Thanks to all of our leaders for their continued service and sacrifice.

Oceanside update: When presented with an opportunity to repeal their vacancy decontrol ordinance which would wipe-out MHP rent control, the Council majority of Jerome Kern, Jack Feller and Gary Felien instead voted to place the matter on the June 2012 ballot. Not only was that disappointing considering over 15,000 of their constituents signed petitions to repeal the ordinance, by placing it on the June ballot instead of on the November 2012 General Election ballot will cost taxpayers around \$90,000, compared to around \$50,000. The Council could have also accepted the referendum signatures as the "will of the people" and immediately repealed the ordinance at their August 17, 2011 City Council meeting, but that was not done. That could have saved taxpayers ALL of the costs of placing the measure on the ballot. As a result, MH owners in Oceanside will have to mount a vigorous campaign to educate the public and combat the misinformation campaign of park owners prior to election day.

Chula Vista: MH owners in Chula Vista felt blind-sided by a Council action to adopt vacancy decontrol for mobile/manufactured home communities in that city. Homeowners had felt they had support of the Council but at Council meetings in July NO member

of the Council voted against decontrol. Unfortunately, MH owners in Chula Vista did not have the support network to mount a referendum campaign as was successfully accomplished in Oceanside.

Now, the City is apparently considering further weakening of homeowner rights by modifying the City conversion ordinance dealing with closure of MH communities. Hopefully, homeowners in Chula Vista will answer this wake-up call and stand-up for their rights and become more politically proactive.

Calimesa: Homeowners have agreed to accept a fee of \$1.79 per month to help administer and preserve the City Rent Stabilization Ordinance but there remains a threat that vacancy decontrol might be adopted.

Santee (from Region 7 Associate Manager, Karen Bisignano): Cameron's Mobile Estates in Santee has decided that they want to raise everyone's rent by more than \$530 per month in our rent controlled city. Of course, that has thrown this senior park into panic mode because some residents are just getting by with their Social Security and their income would not cover another \$500 or more in housing costs. Are they going to be put out on the street from the homes they already own?

The "automatic" allowable increase for next year is only 2.24%, which would be around \$10 per month. Since Santee is a rent controlled City, the park owners do have the right to appeal to the Commission overseeing the City's Fair Practices Ordinance to raise rents by more than the "automatic" amount. Is this just another park owner attempt

to break the Ordinance? Cameron's request will not be heard for a few more months. That gives the residents the opportunity to research their options. If the increase isn't granted, the City may find itself in yet another lawsuit, this time with Cameron's park owners. We hope that isn't the case, but only time will tell.

Region 9 (from Region 9 Manager Donna Banks): The City of Hemet has interviewed candidates for the Park Resident Position for the Hemet Rent Review Commission. The City Council had a tough decision as both candidates were equally qualified. Rae Tofson from Colonial Country Club was selected for the position due to her extensive accounting background. We want to thank June Darling for participating in the candidate interview process too. June is the HOA/GSMOL President of Heather Estates Mobilehome Park and serves as the Secretary for the Valley Mobilehome Residents Association and is a retired RN.

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# GSMOL WHO'S

(Leaders in your area)

### **ZONE A**

(REGIONS 4, 11 &14)

#### REGION 4

COUNTIES: Butte, Glenn, Shasta, Siskiyou, Tehama and Trinity

#### REGION MANAGER Anne Rucker

1901 Dayton Rd. #132 Chico, CA 95928 Phone: (530) 343-3904 karucker@sbcglobal.net

#### ASSOCIATE MANAGERS Gail Lawrence

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#### Dick Ault

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#### REGION 11

COUNTIES: Amador, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas and

#### REGION MANAGER Michelle Smith

6387 Mother Lode Dr. #33 Placerville, CA 95667 Phone: (530) 622-9865 melizabeth2@sbcglobal.net

#### ASSOCIATE MANAGER Shirley Dajnowski

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#### **REGION 14**

COUNTIES: Colusa, Sutter, Sacramento, Yolo and Yuba

#### REGION MANAGER Kenneth (Ken) McNutt

Golden Palms MH Estates 8181 Folsom Blvd. #243 Sacramento, CA 95826 Phone: (916) 383-1820 kenmac@dslextreme.com

#### ASSOCIATE MANAGER Ruth DeGroot

820 N. Lincoln Way #90 Galt, CA 95632 Phone: (209) 745-6570 r-rdegroot@softcom.net

### ZONE A-1

#### (REGIONS 1 and 2)

#### REGION 1

COUNTIES: Alameda, San Mateo, Contra Costa, Santa Clara and San Francisco

#### ASSOCIATE MANAGERS Chet Smith

1885 E Bayshore Rd. #45 Palo Alto, CA 94303 Phone: (650) 323-5757 chetsm1c@unionplus.net

#### Barbara Moravec

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#### **REGION 2**

COUNTIES: Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, Solano and Sonoma

#### **REGION MANAGER** Linda Adrain

571 Biltmore St Santa Rosa, CA 95403 Phone: (707) 577-0783 lindaadrain@yahoo.com

#### ASSISTANT MANAGER Bill Donahue

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#### ASSOCIATE MANAGERS Larry Asp

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#### Herbert Golenpaul

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#### Richard Olden

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#### Richard Heine

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#### Terri Pohrman

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#### J.R. Rose

4801 N. State Street #28 Ukiah, CA 95482 Phone: (707) 485-5338 j-rcndyman@att.net

### **ZONE B**

#### (REGIONS 12 and 13)

#### **REGION 12**

COUNTIES: Fresno, Inyo, Kern, Kings, Madera and Tulare

#### REGION MANAGER Jean Crowder

1500 Villa Ave. # 133 Clovis, CA 93612 Phone: (559) 213-8002 Fax: (559) 298-7013 jeankc@sbcglobal.net

#### ASSOCIATE MANAGERS Meryl Baskervill

San Joaquin Village 336 E. Alluvial Ave., #134 Fresno, CA 93720 Phone: (559) 261-9684 embaskervill@gmail.com

#### REGION 13

COUNTIES: Alpine, Merced, Calaveras, Mariposa, Mono, San Joaquin, Stanislaus and Tuolumne

#### **REGION MANAGER** James Gullion

Cascade Estates

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

#### ASSOCIATE MANAGERS Bill Toth

22466 S. Airport Rd. #53 Sonora, CA 95370 Phone: (209) 588-9146

#### Jacque Record

395 Stanley Rd., #34 West Point, CA 95255 Phone: (209) 293-7141

### ZONE B-1

(REGIONS 8 and 10)

#### REGION 8

COUNTIES: San Luis Obispo, Santa Barbara and Ventura

#### CO-REGION MANAGER Marie Pounders (North)

1675 Los Osos Valley Rd. #205 Los Osos, CA 93402 Phone: (805) 528-0825 merrymlp@yahoo.com

#### ASSISTANT MANAGERS **Barbara Tolerton**

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#### Bill Heintz

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#### Joan Harper

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#### Sheila Morgan

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#### ASSOCIATE MANAGERS

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#### Pat Brown

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#### South Santa Barbara Co.

#### Sam Herr 5750 Via Real, #214

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#### Anne B. Anderson

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#### Terry Bray

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#### REGION 10

COUNTIES: Monterey, San Benito and Santa Cruz

#### REGION MANAGER Richard Halterman

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#### ASSOCIATE MANAGER Mardi Brick

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#### Patricia Cramer

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## **ZONE C**

(REGIONS 3, 5 and 6)

#### REGION 3

Los Angeles County

#### REGION MANAGER

James Scott The Fountains

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#### ASSISTANT MANAGER Martha Crowley

The Fountains 229 W. Gladstone Blvd San Dimas, CA 91773 Phone: (909) 394-5253 Martysplanet@verizon.net

#### REGION 5

Orange County

#### REGION MANAGER Mary Jo Baretich

21752 Pacific Coast Hwy, #23A Huntington Beach, CA 92646

Phone: (714) 960-9507 mjbaretich@hotmail.com

#### ASSOCIATE MANAGERS Nancy Meeks

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#### Tim Geddes

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#### REGION 6

San Bernardino County [Vacant]

### ZONE D

(REGIONS 7 and 9)

#### REGION 7

COUNTIES: San Diego and Imperial

#### CO-REGION MANAGERS Frankie Bruce

10771 Black Mtn. Rd. # 100 San Diego, CA 92126 Phone: (619) 804-0735 francesbruce@att.net

#### Don Greene

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#### ASSOCIATE MANAGERS Frank Merrifield

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#### Pat La Pierre

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#### Karen Bisignano

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#### REGION 9

Riverside County

#### REGION MANAGER Donna Banks

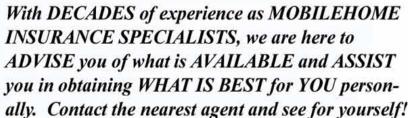
PO Box 310 Sun City, CA 92586 Phone: (951) 927-3397 casabubble@aol.com

#### ASSOCIATE MANAGERS Gail Mertz

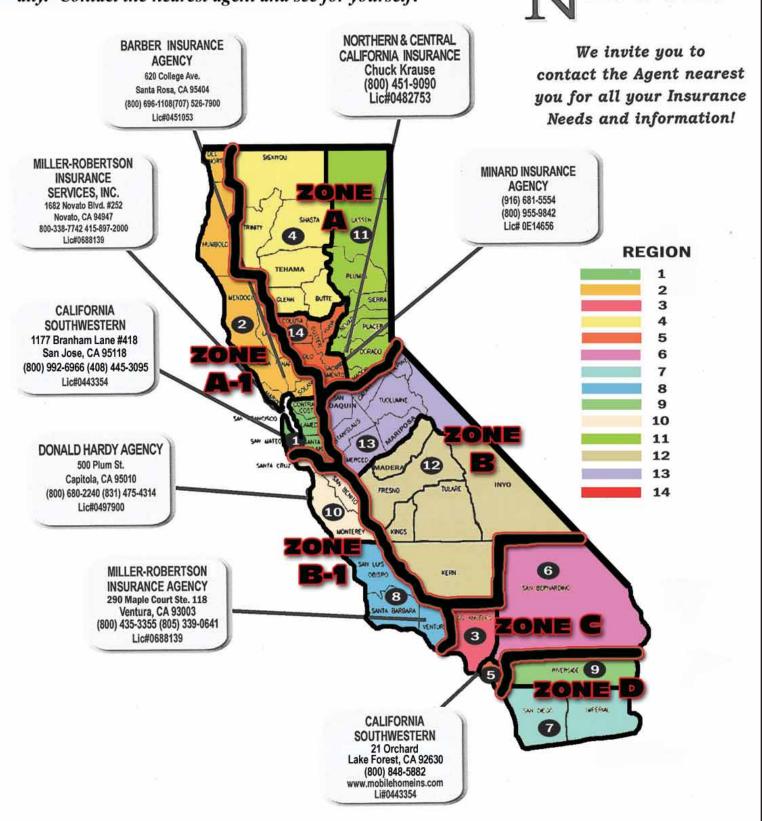
4000 Pierce St. #346 Riverside, CA 92505 Phone: (951) 359-4619 g.mertz@sbcglobal.net

#### **Grant Yoders**

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



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# FIVE FOR FIVE REWARDS PROGRAM

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(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.

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

	I LLAGE I KINT L	LOIDLI	
NEW MEMBERS' NAMES	PARK NAME	SPACE NO. M	ONTH AND YEAR JOINED
			<del></del>
	_		
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!

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Comments (For Office Use

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First Name	initiai	Last Name	
Spouse/ Second Occupant			
Park Name	Park Owner		MGMT. Co.
Street Address			Space Number
City		State	Zip Code
Daytime Phone Number		Alternate I	Phone Number
Email Address			
Signature	Membe	rship Recruite	er (if applicable)

New Member

Renewing Member

GSMOL Chapter #\_\_\_\_\_

Check #\_\_\_\_\_/ CASH

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

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Enforcement Legal Fund (ELF) \$ 10

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

ID KEEP FOR YOUR RECORDS Thank you!

