

# *THE* CALIFORNIAN

GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

Volume 47 Issue 4

--GSMOL-- advocating for Homeowner Rights Since 1962

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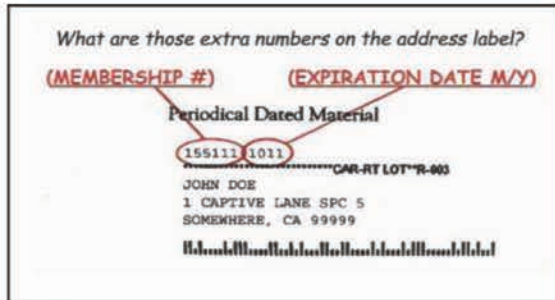
**Why are These People Happy?  
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GSMOL member Victor Roy (left) is joined by Dana Corso, president of the Alliance of Citizens to Improve Oceanside Neighborhoods (ACTION) and Chris Gow, president of Oceanside Manufactured Homeowners Alliance (OMHA)

**HAVE A GREAT SUMMER  
FROM  
GSMOL**





## THE CALIFORNIAN (USPS 898-320)

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(See map on page 15 for Zone boundaries)

# President's Report



*Jim Burr, GSMOL  
May 2012*

## It's Hard To Say Goodbye

We want to share some Post Convention During a recent GSMOL Board Meeting, our Legislative Advocate, Brian Augusta, announced that Evan Hawkins would resign his position as GSMOL Field Organizer, effective July 2, 2012. The Board received this with great sorrow and offered many positive comments about his extraordinary work with us. Then, after learning more about his new position and a substantial increase in compensation and benefits - we were quick to offer our congratulations in addition to our regrets.

Evan had the innovative and pioneering spirit required to create the new position of a professional Field Organizer for GSMOL. Actually, it is likely a first for any statewide manufactured home advocacy association in California, so he indeed plowed new ground for us. Over the last eighteen months, Evan worked cooperatively with our top leadership, our professional advisors, and particularly our Zone Vice Presidents. He then led the effort to carve out an effective and efficient framework of the GSMOL grassroots improvement mission. And as expected, there were several adjustments to be made along the way and Evan accepted them gracefully and with ease, always remaining above the fray.

So in the final analysis, Evan Hawkins leaves us having succeeded in creating the new and well-defined position upon which we can build, while he prepared himself to move on with anticipation to the next step-up in his career path. However, breaking up is always hard to do! In his discussions with me, he used the term "Bitter Sweet" in describing his feelings - and we profoundly agree.

So Evan, on behalf of the GSMOL Board of Directors, our Zone and Region Officers, professional advisors and administrative staff and certainly our members, I thank you so much for all you have accomplished for manufactured homeowners throughout the State, and we truly wish you God Speed and great success in your new position. And please remember, we are just a phone call away.

The Board of Directors, by consent, authorized Brian Augusta to start the search for a new community organizer.

Evan, along with all of our leaders, continued the momentum of our 50th Anniversary Biennial Convention in April. We frequently hear how others are applying the take-home messages resulting from the educational and informative sessions.

We broadened our spectrum of friends outside of GSMOL and even outside of California. Ishbel Dickens, an attorney from Seattle and Executive Director of the national group, Manufactured Homeowners of America Association (MHOAA), attended the Convention and gave an excellent keynote talk during the Awards Banquet. She now continues to work with the Board of Directors of the new GSMOL Education Fund [a 501 (c) (3) nonprofit], a separate, independent Board under the GSMOL umbrella that will receive tax deductible grants and contributions to be used to educate our leaders and members.

Therefore, the excitement and enthusiasm generated by the Convention continues as we work to improve our effectiveness. So there is more to come; please don't let it happen without you...

## Congratulations to our Endorsed Candidates!

The GSMOL-PAC endorsed 12 candidates in the June 5, 2012 Primary Election, and 10 of them placed 1st or 2nd (under the new "top-two primary" rules) and are heading to the November election. We will continue to support these candidates as they head to victory in the General Election:

### Zone A:

**Region 11:** Reginald Bronner-D, Assembly District 6 (Roseville, Rocklin)

**Region 14:** Ken Cooley-D, Assembly District 8 (Sacramento, Rancho Cordova)

### Zone A-1:

Region 2: Michael Allen-D, Assembly District 10 (San Rafael, Petaluma)

Region 1: Sally Lieber-D, Senate District 13 (San Mateo, Mountain View)

### Zone B-1:

**Region 8:** Hannah-Beth Jackson-D, Senate District 19 (Ventura, Santa Maria)

Das Williams-D, Assembly District 37 (Ventura, Santa Barbara)

**Region 10:** Mark Stone-D, Assembly District 29 (Santa Cruz, Monterey)

Bill Monning-D, Senate District 17 (Santa Cruz, San Luis Obispo)

### Zone C:

**Region 3:** Betsy Butler-D, Assembly District 50 (Malibu, Santa Monica)

### Zone D:

**Region 9:** Mark Orozco-D, Assembly District 42 (Hemet, Palm Springs)

Unfortunately, two of our candidates did not finish in the top-two of their races. Julio Perez (Assembly District 69) and Stan Skipworth (Assembly District 60) will not advance to the November election. We appreciate their hard work and commitment to manufactured homeowners' rights and issues. Even though they will not be serving in the Assembly, we look forward to continuing to work with them going forward.

**On to November!**



# Capitol Report

By *Brian Augusta*  
*GSMOL Legislative Advocate*

As you read this, the legislature is in the middle of its month-long summer break. While past summer breaks have been eclipsed by ongoing budget negotiations, this year—with a majority vote budget made possible by Prop. 25—the budget negotiations wrapped up before the end of June. With the State budget completed, and no committee or floor sessions, the Capitol is quiet during the break. Staff and members grab a few days of vacation, shed their suits and ties and spend some focused time resolving remaining issues on bills. When they return August 6, it will be a mad dash to the finish line, with only 4 weeks of work remaining, until the August 31 deadline that marks the end of the 2011-12 Session.

It has been a busy year for manufactured-homeowners and their allies in the legislature, with a number of important bills—including three GSMOL-sponsored measures—moving through the process. Here's a run down:

## GSMOL Supports:

### **AB 1938 (Williams): Protecting Homeowners from Unfair Leases.**

This GSMOL-sponsored bill would help protect low- and moderate-income homeowners in manufactured housing communities from unfair or deceptive lease provisions. The bill passed the Senate Judiciary committee in June and now heads to the Senate floor. The bill ensures that homeowners' existing right to void a long-term lease within the first 72 hours is enforceable; and prohibits pass-throughs to residents of any judgment against the park-owner for violation of the Mobilehome Parks Act. Send your letters of support now to your Senator.

### **AB 2150 (Atkins): Summary of Homeowner Rights.**

AB 2150 is sponsored by GSMOL to help provide homeowners with a simple summary of how the MRL protects them as homeowners. It would require a one-page summary of some key rights and responsibilities for homeowners to be distributed periodically to new and current residents. It passed the Assembly in May, with strong bi-partisan support and the Senate Judiciary committee in mid-June. It is now pending on the Senate floor. Please contact your Senator and urge their support for the bill.

### **AB 1797 (Torres): Getting More Money into Homeowners Hands for Park Improvements**

This GSMOL-sponsored bill would add some additional reforms to make the Mobilehome Park Resident Ownership Program (MPROP) more useful to homeowners. MPROP is funded through a fee on certain homeowners. The program was originally designed to aid park residents in purchasing their parks and converting to resident ownership. However,

the program is underutilized, leaving money unspent. The bill would allow for technical assistance to homeowners interested in pursuing a purchase of their park, and improve some of the terms of the loan to make the purchase more feasible. The bill has passed the Senate Transportation and Housing Committee and awaits action in August in the Senate Appropriations Committee. Contact your Senator and urge their support.

## GSMOL is Neutral:

### **AB 2272 (Wagner): Injunctions.**

Would make a small change to existing, but seldom used, law that allows a park owner to pursue an injunction rather than an eviction in certain cases where a homeowner is violating park rules. An injunction may be less severe than eviction, since a homeowner will remain in his or her home. GSMOL is neutral on the bill after the author agreed to a 3-year sunset on the measure, allowing advocates to assess how the law is used. The bill passed the Senate floor and is headed to the Governor.

## GSMOL Opposed:

### **AB 317 (Calderon): Eliminating Rent Control for "Second Homes".**

AB 317 would have changed existing law concerning whether a home in a rent-controlled park that is not the owner's principal residence is entitled to rent control protections. Earlier versions of the bill had far-reaching implications for homeowners, and the bill was strongly opposed by GSMOL and many of its members and allies. Hundreds of calls were generated by homeowners to Senate offices in opposition to the bill, which was set for hearing July 3rd in the Senate Judiciary committee. With a majority of the committee members strong supporters of rent control and the rights of mobilehome owners, it seemed unlikely that bill would have the necessary votes. On the eve of the hearing, the bill's author, Assemblymember Calderon, amended the bill to delete the main contents of the bill and merely require notice to prospective homeowners about the existing law regarding such "second homes." The language of the notice still needs work, but it puts an end to any expansion of the second home exemption to rent control. The opposition of so many engaged homeowners helped ensure this result. While we expect that park owners will return again next year with similar anti-rent control measures, for now the most dangerous portions of the bill are deleted.

### **SB 1173 (Wyland): Pass-throughs.**

This bill would allow a park owner to pass-through the cost of certain local property tax assessments. The bill would pre-empt local rent control provisions governing such pass-through, allowing the cost to be passed through to each homeowner on a pro-rata basis. GSMOL and other groups are opposing the measure. The bill died in the Senate Judiciary committee.

# QUESTIONS & ANSWERS



*By: Bruce Stanton, GSMOL Corporate Counsel*

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

## **UNDERSTANDING “MARKET RENT” The Facts, the Fiction and the Courts Weigh In**

For the past few decades, mobilehome park residents have become increasingly subjected to the term “market rent”. This is especially true in the 100+ local jurisdictions which have adopted some form of mobilehome rent stabilization ordinance. My office has represented homeowners in seven separate administrative rent hearings during the past 18 months. In each of those cases, the park owner filed a Petition with the City seeking a rent increase based upon numerous factors. In six of those hearings, the term “market rent” was argued by the park owner as “proof” that a larger rent increase was authorized. Park owners claim to know what “market rent” means, and why it entitles them to higher rents. As a theory or concept, the term “market rent” is very misunderstood, and typically misused by park owners when they seek these rent increases. So just what is the truth about “market rent”? It is time to expose the fiction and state the facts. Thankfully, a recent published Court opinion has brought some sanity to the discussion, and shall hopefully be the first step in stopping the misuse of this concept.

The park owner argument goes something like this: A park owner is entitled to make a profit to earn a “fair return” on its investment, and is entitled to charge whatever rent the market will bear, as long as the rent is not “excessive”. An appraiser is hired to complete an appraisal of nearby parks, and by cherry picking the parks which have the highest space rents, creates a report that shows the rent being sought will not be far above

those rents being charged in nearby parks when the rent is de-controlled or when a new space is being filled. The appraiser calls the park manager and asks: “What rent do you charge for new residents moving into the park who are not subject to rent control?” Park owners argue that as long as the rent is not excessive, “market rent” should be the standard for setting rent levels. Of course, they are independently determining what the “market” is, according to their own experts, who are hired to justify the requested rent increase.

Residents become frustrated when they hear that a park owner claims it is entitled to “market rent”. They believe, justifiably so, that the park owner can define “market” to be virtually anything that it wants “market” to be. If the “market” in question is one that the park owners control, then it is clear that there is considerable risk that “market rent” is not objective, but rather a subjectively determined thing that park owners can create for themselves. I recently read a thoughtful note from a resident who argued that in fact there is no such thing as “market rent”, and that is it merely a park owner creation to justify the rent they wish to charge. In truth, “market rent” is a real estate term which is used by appraisers. So it has not been created by park owners. But the term has been “hijacked” in every sense of the word, and has become a veritable ‘battle cry’ of park owners seeking rent increases.

The Dictionary of Real Estate Appraisal, Fifth Edition, defines the term “market” as “A set of arrangements in which many buyers and sellers are brought together through the price mechanism”. Also contained therein is the following definition of the term “market rent”:

The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the lease agreement, including permitted uses, use restrictions, terms, concessions, renewal and purchase options, and tenant improvements.”

There is thus no question that “market rent” is a legitimate real estate appraisal term. But a close look at the above definition shows why it should not be used to test whether mobilehome rents should be increased. The definition speaks of a “competitive and open market”. The mobilehome housing market in most metropolitan areas is anything BUT “competitive and open”. Mobilehomes and manufactured homes are immobile, and there are limited parks in which to place them. Homeowners cannot afford to move their homes, even if a place could be found for them, and are thus forced to either (1) pay higher rents, or (2) sell or abandon their homes if the rents become unaffordable. In essence, mobilehome residents live in a “captive” marketplace, a virtual monopoly where park owners control

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# NEWS AROUND THE STATE

By Tom Lockhart

GSMOL State Secretary

## Zone C Region 3

The City of Fillmore City Council rejected a proposed subdivision of the El Dorado MHP, a condo conversion first applied for in 2009. Fillmore voters had also earlier rejected the proposal in a ballot measure. The vote was 3-2 to reject, although all five council members said they did not want the conversion. Council member Eduardo Gonzalez said, "This is not a decision about the money. It is a decision to do the right thing."

The park's residents oppose the conversion proposal by a significant margin, fearful they will not be able to afford the lot purchase price, which is determined by the park owner, and therefore face "economic eviction". Some may even have to abandon their homes. They also strongly object to the park owner's recent decision to change the park's 55 and over status to an all-age park.

## Zone C Region 3

The City of Carson City Council rejected by a 5-0 vote an application for the condo conversion of the Carson Harbor Village MHP. The Council felt the owner was partially motivated by an interest in raising rents at the park, which is currently under rent control. Average rents are about \$700 per month. A condo conversion would result in rent control being lifted from homes that do not participate in the conversion purchase. This is the Council's third denial of the application over several years. The Council was also concerned about the availability of funds to finance the residents' purchase of the individual lots on which their homes sit. The park owner reportedly had not announced plans for financing help for the low-income residents. A separate financing program would very likely be needed since most residents would probably not qualify for conventional loans to buy their lots.

The loss of rent control could very well result in "economic eviction" for some of the park's low-income residents. This would be due to decreased home values and increased rents for those residents who could not afford to buy their lot. Relocation efforts would be very difficult and expensive, and abandonment of homes could very well result.

In addition, an environmental report stated there was a possibility of contamination from oil wells and hazardous waste deposits in the vicinity of the park that might need costly remediation. A condo conversion would make the residents liable for cleanup procedures, possibly costing millions of dollars. The case will now go back to Los Angeles Superior Court to rule on the City's decision.

## Zone D Region 7

Cameron's Mobile Estates, in the City of Santee, most of whose residents are senior citizens living on modest fixed incomes, were elated when the Santee Manufactured Home Fair Practices Commission denied a request by the park's owners to more than double their monthly space rentals. The park owner applied to increase monthly rents an average of \$557.64 per space or \$422.19, depending on the calculation method used. Cameron's residents currently pay an average of \$357 per month for a space. In 1994 the City of Santee adopted a Rent Stabilization Ordinance (RSO) that protects residents of the City's 12 mobile home parks from exorbitant rent increases, and at the same time allows park owners to achieve a fair rate of return. The RSO is based on park rents, and the Consumer Price Index (CPI) in San Diego County since 1989.

A staff report for the City of Santee Community Development Commission stated the park owner had not justified the rent raise request. Former City of Santee City Councilman Jim Bartell, a co-author of the RSO, reportedly stated, "These residents live mostly on fixed incomes and had been receiving a \$100 subsidy (from the city) until recently. The applicant asking for a \$557 increase is outrageous and absurd, especially with the lack of maintenance of the park over the last 25 years."

## ELTH HELPS CHILD OBTAIN CARE FUNDS FOR BRAIN INJURY

As a result of a recent jury trial verdict obtained by attorney Ken Turek of Endeman, Lincoln, Turek & Heater LLP ("ELTH") in San Bernardino Superior Court, an eight year old girl will receive care funding for a brain injury she suffered at the Mountain View Mobilehome Park in Yucaipa, California. Plaintiff Sierra Charles was severely injured when at age three she rode her bike over a sixteen foot unfenced drop-off into a drainage wash on Park property. Turek and his co-counsel Nicholas Rowley contended Defendants park owner Mobilehome Group III and manager Nijjar Realty, dba Pama Management, were told to fence the area by an onsite manager, but failed to do so. "Sierra's head injury has resulted in lifelong behavior and learning problems. We proved that Defendants' violation of basic safety rules designed to protect the public caused her serious injuries," said attorney Turek. The confidential settlement was completed after a jury verdict found in favor of ELTH's client. "When park owners and managers violate basic safety rules which needlessly endanger the community, we will go to trial to hold them accountable," Turek stated.

Since 1987, ELTH has specialized in successfully representing Park residents in personal injury suits against Park owners for a variety of harms including electric and gas-related injuries, sewer, water and toxic contamination, and trip and falls, as well as non-park-related vehicle collisions.



# QUESTIONS & ANSWERS (continued)

*Continued from Page 5*

the “market”. Where the market is controlled by one party, the so-called “market rents” that result from that control are not derived from true competition, but instead are set according to what the controlling party desires.

In rent hearings, I always argue on behalf of my homeowner clients that “market rent” is irrelevant. Mobilehome rent control ordinances do not guarantee “market rents”, but rather only that a fair return be obtained. These are two very different things, although many park owners would argue otherwise. Using “market rent” in a rent control jurisdiction is fundamentally flawed. If “market rents” represent decontrolled rents, to allow them would be to ignore both the purpose of rent control, and its effect. No ordinance can be said to stabilize rents if they can be re-set according to the demands of the party who controls the market...i.e. the very “controlling” party that the Ordinance seeks to protect against! The “market rent” argument seeks to make an end run around the rent ordinance, and achieve the same rent as if there was no control at all. The exception, the park owners argue, must swallow the rule. Well, we may as well throw out the ordinance all together! In the same way, there is no logical connection between “market rent” and “excessive rent”. The term “excessive” must be tested against the true “captive” nature of the mobilehome marketplace. The park owners cannot unilaterally define what is or is not excessive. That is the function of the mobilehome rent ordinance provisions, and the standards that hearing officers are bound to follow therein. Only through that hearing process can it be determined what rent amount should be allowed.

The California Court of Appeal for the First Appellate District recently published its decision in the case of Besaro Mobile Home Park, LLC v. City of Fremont. The case arose from a 2009 rent hearing held in Fremont, and which involved the good residents of Besaro MHP where a strong GSMOL Chapter exists. I represented the residents, and during hearing opposed the typical “market rent” claims made by the park owner. The hearing officer disallowed the rent increase, and the park owner appealed. On March 14, 2012, the Court issued its decision, which upheld the denial of the rent increase. Addressing the park owner’s claim that it was somehow entitled to “market rent”, the Court specifically ruled that the park owner “is not constitutionally entitled to charge current market rents that exceed the amount necessary for a fair return.” The Court stated that “the fair return standard for assessing the constitutionality of a rent control statute has been applied time and again and Besaro cites no authority for the proposition that it has a constitutionally protected right to charge market rent.” The decision thus clarifies that determining whether rents are “excessive” has nothing to do with anyone’s idea of “market rent”.

GSMOL is committed to exposing the truths and fallacies of the “market rent” debate. Be on the lookout for the “market rent” strategy, and be ready to oppose it. If a rent increase hearing is initiated in your City or County, hire a qualified attorney and expert. Above all, make sure that your local City or County officials understand the important truths about “market rent”, and the dangers of following the arguments of those park owners who have subverted its true meaning.



***Norma J. Torres***

ASSEMBLYMEMBER, SIXTY-FIRST DISTRICT

**Congratulations to the Golden State Manufactured Home Owners League on your 50th Anniversary!**  
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# VOTER EDUCATION

BY TIM GEDDES

GSMOL Associate Manager.

Zone C Region 5

My last article on Voter Education focused primarily on becoming a single issue voter in local elections for City Council positions. I urged manufactured housing homeowners to vote for candidates that held the residential property rights of mobile home owners (MHPer's) in high regard regardless of party affiliation or political philosophy. I also urged MHPer's to oppose any candidate that sided with the unscrupulous park owners and their industry allies to the detriment of mobile home communities.

My research on the 2010 City Council races in Huntington Beach showed a fair amount of returns from precincts with mobile home parks (there are eighteen in the city) had support for avowed opponents of mobile home residential property rights. Uninformed voters tended to support candidates who shared the same party affiliation or political philosophy without knowing who the candidates' supporters were or where their contributions came from. Telling contributions from the Manufactured Housing Educational Trust (MHET) or the Western Manufactured Housing Communities Association (WMA) supporting park owner positions over resident positions would have told part of the story. So would contributions from the California Association of Realtors (CAR) and developer allies of park owners.

In one case, MHPer's with strong public safety interests backed a Police Officer Association endorsed candidate (himself a police officer from another city) without knowing that the candidate was a staunch opponent of MHP residential property rights. The same criteria applied to voting for the only incumbent in the race (incumbents have rarely lost reelection campaigns in Huntington Beach) despite his vicious opposition to the mobile home community and efforts to kill off the city's Mobile Home Advisory Board. Voters simply must educate themselves on the candidates and their positions or risk electing the wrong people to make life and death decisions regarding their biggest investment...their home.

The same care needs to be exercised in voting for state legislators. It is critical to vote not party but position. For example, one

of the key pieces of legislation this year has been Assembly Bill AB 317 (Caldeiron). AB 317 would change existing Rent Control law by requiring that a home on a rent-controlled space be a person's "sole" residence. It would weaken various rent control protections as well. GSMOL remains opposed to this legislation and other efforts to weaken residential property rights for manufactured housing homeowners. Candidates for the State Legislature must be held accountable for their positions on legislation like AB 317. This issue should be decided not on partisan headcounts but on the merits and impacts of the legislation. Once again, MHPer's should eschew party affiliation and political philosophy to vote their own residential interest.

Please follow the CALIFORNIAN's "Capitol Report" section about legislation that GSMOL either supports or opposes. Please demand positions from all candidates for public office on mobile home park issues and concerns. Above all, become single issue voters for MHP residential property rights. The home you help save may be your own.

## VICTORY IN OCEANSIDE!

By Tim Sheahan, Zone D VP

After enduring over a year of high anxiety following a distressing 2011 City Council action to abolish rent protections in Oceanside, homeowner feelings of apprehension were transformed into celebratory exhilaration as a ballot measure to uphold the Council action was soundly defeated in the June 5 election.

Manufactured home owners throughout the City initially had to band together last summer to stop the Council action by collecting over 7,500 valid signatures to qualify a referendum for the ballot, and they had only 30 days to do so! They not only reached the required amount, they collected over 15,000 signatures, giving them a very comfortable margin to assure enough signatures were valid.

Then, after the Council majority forced the measure to go to a ballot vote as Proposition E in the June Primary Election, homeowners had to organize to raise money, stage public rallies, write letters to Editors of local newspapers, call voters throughout the city, and also go door-to-door to educate voters in person. All of that was necessary to thwart the park owners' well-funded campaign to pass Prop E. Despite being outspent 10 to 1 by a park owners' coalition, which included the Howard Jarvis Taxpayers Association, homeowners achieved an astounding margin of 65% against Prop E to only 35% in favor of doing away with the Rent Stabilization Ordinance.

It's been estimated the park owners spent over \$40 per vote for the 10,000+ votes in favor of the measure.

The success of our fellow manufactured homeowners in Oceanside should serve as a model for others to follow and inspiration for what can be achieved by hard work, solidarity of purpose and unity of action. It was also a lesson that even when a Council majority seems to perceive themselves as having absolute power to do whatever they want, their constituents ultimately have the power, so long as they have the resolve to take action. We want to congratulate our counterparts in Oceanside for their inspirational accomplishment!



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# HCD UPDATE

## MANUFACTURED HOME REPAIRS AND ALTERATIONS REQUIRE HCD PERMITS

By Ron Javor

*(Ronald Javor is the former Assistant Deputy Director for HCD's Division of Codes and Standards, and is a former HCD Chief Counsel who provides assistance to mobilehome park residents and operators regarding mobilehome park matters.)*

### HCD Permits Generally Are Required

Just like conventional homes and buildings, most work that repairs or alters the plumbing, electrical, mechanical, structural, and/or fire safety systems of a manufactured home or its components, including a cabana or garage, must have a building permit. This also applies to much of the work that may occur on a lot as well as to the structures. These permits only may be obtained from the California Department of Housing and Community Development (HCD), and may not be issued by the city or county, even if that city or county is the enforcement agency for the Mobilehome Parks Act.

There are two ways to determine when a permit is necessary. One is to read Section 1018 of the California Code of Regulations (CCR); subdivision (d) of that section lists the exemptions from the permit requirement. These exemptions include minor maintenance and repair, construction of a stairway with a landing less than 12 square feet, and construction of fences not over six feet high. These rules can be reviewed on HCD's website at <http://www.hcd.ca.gov/codes/mp/authority.html>.

A more detailed list of what activity does require a permit is found in a matrix provided by HCD. That matrix is also on the HCD website, and can be found at <http://www.hcd.ca.gov/codes/mhp/HCDMH604.pdf>.

### Why Does HCD Require Permits and Inspections?

HCD requires these permits for your safety and the safety of your neighbors and others who may come to your home. While some repairs or alterations seem to be so simple that a permit and inspection should not be required, consider the underlying issues and consequences.

The replacement of an appliance or feature with the same appliance or feature seems simple. However, the replacement of a water heater involves gas lines that might leak or venting that may not be correct, resulting in carbon monoxide fumes injuring a family. Replacement of a stairway or ramp may look the same, but may not hold enough weight or be large enough for visitors or first responders in an emergency. Adding a ceiling fan can impact both structural and electrical systems, since electrical wiring and circuit breakers generally are designed for an original fixture and mistakes may result in black-outs or, at worst, electrical fires. Installing a new air conditioner may result in one with higher electrical needs, impacting your home's system, your neighbors, and the park's entire electrical system.

These issues may be magnified when the wrong replacements are used. Most fixtures and appliances for manufactured homes are designed for that use, and if you make repairs

yourself or use "the local handyman", incorrect fixtures may be purchased which will work improperly and maybe cause property or personal harm.

Requiring permits and inspections is not designed to be a source of income for HCD. The fees are based on actual costs to process a permit and perform inspections and, if necessary re-inspections. Sometimes your safety is enhanced by an inspection: the inspection for a roof replacement may identify structural weaknesses in a roof or avoid roofing materials not allowed for the home due to fire safety issues.

### The Approval Process is Specific

Generally, only HCD approval for a repair or alteration is necessary. The "matrix" referred to above describes the types of plans that are necessary, and whether plan review will take place. Certain types of alterations require engineered plans because they have a potential significant impact on the electrical, mechanical, and/or structural systems of the home. You or your contractor can obtain the permit forms on-line from HCD, although the best way to avoid mistakes is to call or visit the nearest HCD office in Sacramento or Riverside.

When is park operator approval necessary for repairs or alterations? The HCD regulations, Section 1032 of CCR, cites two examples: subdivision (d) states that HCD will not process a permit without park operator approval if the alteration to a unit "would affect the electrical, fuel gas, or plumbing system of the park". Some examples of this are adding or upgrading an air conditioning or heating system, or adding or expanding a bathroom. Subdivision (e) requires prior park operator approval for the construction, reconstruction, installation, or alteration of an "accessory building or structure or building component". This type of work includes any awning, window awning, cabana, storage building, garage, carport, large fences or stairways, and other buildings other than a patio for the homeowner's private use.

In addition, a homeowner should check his or her lease or rental agreement. The park operator may have additional requirements for park approvals prior to alterations and repairs in order to meet its business plans, such as colors or standards for roofs or exterior siding. While these park operator requirements are not enforced by HCD, the park operator may take administrative or judicial action against a homeowner who makes unapproved alterations or repairs.

### What Other Concerns Should a Homeowner Have?

Not obtaining an HCD approval and inspection may have consequences for a homeowner other than health and safety. If the home may be sold in the near future, some buyers may require proof of building permits and inspections for obvious improvements. Failure to obtain the permit at the time results in delayed sales, a financial penalty for failure to obtain the permit when required, and, sometimes, the reopening of walls or roofs to ensure that. Most leases and rental agreements include clauses requiring the homeowner "to comply with all applicable laws and

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# HCD UPDATE (continued)

*Continued from Page 9*

regulations". Failure to obtain the permits may create a basis for eviction, since that failure is one of the express grounds for eviction of a homeowner.

Before beginning any work, homeowners or their contractors can contact HCD to determine the permit requirements. For applicants in Fresno County and areas to the

south, contact the HCD Southern Area Office in Riverside at (909) 782-4420; from Madera County to the north, contact the HCD Northern Area Office at (916) 255-2501. Remember: your home and your community are only as safe as the least dangerous condition; avoid damage and harm by complying with the rules.

## REACTIVATED GSMOL CHAPTERS



**Newly installed GSMOL chapter 574 Officer for the Mountain View Mobile Home Park in Santa Monica, June 24, 2012** from left to right: Cris McLeod, Secretary/Treasurer; Michelle Cole, Vice President; James Scott, GSMOL Region 3 Manager; and Phyllis Goff, Chapter President.



**Newly installed GSMOL Chapter 1222 Officers for the Windward Village MHP in Long Beach.** From left to right: Ron Vent, Treasurer; Janet Johnson, Vice President; Tina Warne, Secretary; and Pat Dennistoun, President.



**Newly installed GSMOL Chapter 1190 Officers for the Il Sorrento MHP in Moreno Valley.** From left to right: Fred Graves, Treasurer; Bonnie Stoyan, Vice President; Helen Davis, President, and Lila Smith, Secretary.

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# ZONE/REGION REPORT

## ZONE B-1 Region 8

By Marie Pounders  
Region 8 Manager

The highlights for the past several months for our Zone include: Over 25 members from Zone B-1 attended the GSMOL 50th Anniversary Convention! Craig Hull and Marie Pounders, Anne Anderson and Mardi Brick participated in the planning and presentation of three of the Break-Out Sessions. In late May, at the regular NSBMHT meeting (Northern Santa Barbara County Mobilehome Owners' Team), Marie did a Power Point presentation of the Convention, and Craig Hull surprised RON FAAS with his LEGACY Award, which the group had managed to keep a secret ever since April! Two of Zone B-1 Mobilehome Parks received Exemplary Park Owner Awards: Shoreline Mobile Estates in Santa Cruz and Lost Oak Mobilehome Park in Atascadero, San Luis Obispo County. Shoreline ME will have its award ceremony on July 26 at the Santa Cruz County Mobilehome Commission meeting. Lost Oak MHP park owners will be honored on July 9 by SLOMAP, the countywide mobilehome residents' group, at a special luncheon, which will include local government officials who work hand in hand with SLOMAP/GSMOL leaders.

Several workshops are taking place in Zone B-1. In June, GSMOL leaders met with residents of several Oxnard mobilehome parks to discuss the possible formation of a citywide mobilehome residents' group along the lines of one which is already established in the City of Ventura. A second meeting is scheduled for the end of August. A workshop on the new Regional Officers' binder will be held in Santa Maria in July to introduce it to the Northern and Southern Santa Barbara County groups. (Craig and Marie are putting together the additional binders to send out to those managers who are on the list from the convention to receive a copy. These will be coming out in a month or so, preceded by an email letter.) The Outreach Committee in Northern Santa Barbara County is laying the foundation to work with City officials and the local legal assistance organization in Lompoc to address park concerns which have surfaced over the past few years. Ron Faas, the GSMOL Legislative Action Team (LAT) coordinator for NSBMHT, reports that the Knollwood MHP condo conversion is pro-

gressing well. Out of 195 spaces, 111 mh owners have entered escrow. In April, the park received an MPROP grant for its 75 low income residents to provide a 30 year loan at a 3% interest rate to cover 50% of the total cost of their lots. Two local lenders have agreed to offer financing for the other half. Residents not purchasing their lots have the option to remain on their leases or on the month to month rental agreements if they qualify.

On May 15, homeowners from Nomad Village MHP, just outside Santa Barbara, and supporters including members of GSMOL, NSBMHT and SCAMPR (South Santa Barbara County Alliance of Manufactured-home Park Residents), spoke at a hearing before the County Board of Supervisors appealing some of the decisions resulting from their rent increase arbitration of last year. The Board overturned six of the decisions which had favored the park owner, and remanded one item back to the arbitrator for rehearing. Although this is a great victory for the homeowners, the park owner has presented them with a new rent increase for 2012. They have begun the process of appeal. The timeline for the resolution of the 2011 case is still uncertain.

## Zone B-1 Region 10

By Mardi Brick, GSMOL Associate Manager,  
Vice Chair, Santa Cruz County Manufactured  
and Mobile Home Association (SCCMMHA)

The most exciting news from Santa Cruz County is that we have successfully implemented the idea that Manufactured Home owners could benefit by joining together for strength in numbers in order to combat various problems in individual communities.

In spring of 2011, when our Legislative Advocate Team tried to mount a letter-writing campaign for AB-579 and SB-444, we had no way of reaching concerned residents in the 70+ MHPs in the County. At that point the need to form an "umbrella" organization became the logical next step.

We had organizational meetings in the fall, and by January 2012 we began meeting monthly as the Santa Cruz County Manufactured/Mobile Homeowners Association (SCCMMHA). We have a very energetic and highly motivated slate of officers: SC-

CMMHA Board President Bob Lamonica, Santa Cruz; Vice President John Mulhern, Live Oak Santa Cruz; Secretary Carole Harris, Scotts Valley; Treasurer Clare Sawyer, Soquel; Communication Director Caren King, Aptos.

They have already established a website (<http://www.sccmmha.wordpress.com>) and an email address ([sccmmha@gmail.com](mailto:sccmmha@gmail.com)), and have established non-profit status as a California Unincorporated Nonprofit Association. Big plans are being made for Election Candidate Forums, a County Manufactured Home Conference, and a fund raising Special Event to start a Litigation Fund for potential upcoming needs.

Their Mission Statement: To act as an educational and political outreach organization for Manufactured and Mobile Home residents in Santa Cruz County.

Our County also has had a Resident Owned Parks Association for several years that has been very successful by working together on common goals.

Together with the SCC Manufactured and Mobilehome Commission, our County now has an even better chance at successfully meeting the challenges that Manufactured Home Communities face in the coming years.

## Zone C Report

By Mary Jo Baretich  
Zone C Vice-President

Zone C has seen a flurry of activity these last couple of months, starting with a GSMOL sponsored Town Hall Meeting at the Plumbers Union Hall in Santa Ana on May 2nd. Speakers for the event included Julio Perez, candidate for the 69th Assembly District, Henry Heater of the ELTH Law Firm, GSMOL President Jim Burr, and Mary Jo Baretich, GSMOL Zone C Vice President. Also, in the City of Carson, on May 8th, the Carson Harbor Village Mobile Home Park reactivated their Chapter with an election of officers: President, Paul Randall; Vice President, Louis Cogut; Secretary, Kate Simpson; and Treasurer, Joanne Swan.

*Continued on Page 12*

# ZONE/REGION REPORT (continued)

*Continued from Page 11*

On May 14th, with the aid of attorney Will Constantine, the Carson Harbor Village HOA/ GSMOL Chapter successfully won their critical Subdivision Hearing with the Carson City Council voting 5-0 against the subdivision proposal. The Council agreed with the evidence presented, in that the Subdivision being proposed by the park owner was not bona fide, and was only proposed to avoid rent control. This now goes back to a Court Hearing in front of the judge who had originally requested the City Council Hearing.

Our Team of Regional Managers Ray Downing and James Scott, Associate Manager Tim Geddes, Zone C Vice President Mary Jo Baretich, GSMOL member Jim Anderson, and GSMOL Field Organizer Evan Hawkins, traveled to several other parks in May and June to help educate homeowners on the GSMOL Mission, Purpose, Achievements, Goals for the Future, Legislative Issues, Voter Education, Problem Solving and the GSMOL Funds. In most presentations, we did this through the use of a Slide Show presentation, followed by enthusiastic Question and Answer sessions. Parks visited included Western Skies Mobile Home Park in Anaheim, Del Ray Mobile Home Park in Anaheim, The Fountains Mobile Home Park in La Verne, Mountain View Mobile Home Park in Santa Monica, Village Trailer Park in Santa Monica, Oakridge Mobile Home Community in Sylmar, and Windward Village in Long Beach. We reactivated the Mountain View Mobile Home Park Chapter in Santa Monica on June 24th. The new Officers at Mountain View are: President, Phyllis Goff; Vice President, Michele Cole; and Secretary/Treasurer, Cris McLeod.

In addition to our park visits, we supported a candidate for the 69th Assembly District, Julio Perez, by traveling to numerous parks in Santa Ana, Anaheim, and Garden Grove, speaking to residents and handing out GSMOL material and Julio Perez candidate material. Out of those talks, we were able to sign up additional GSMOL members and set meeting dates in the parks.

## Zone D Region 9 Report

*By: Donna Banks, VP At Large & Region 9 Manager*

### Park Meetings:

Requests are coming in for meetings from the Desert Hot Springs area Mobilehome Parks:

Park West MHP, Chapter No. 0882, held a recruitment/information meeting at their park on June 3, and had 35 residents attend. Their next meeting was on July 1 at 2 PM in the Park Clubhouse. They currently have 13 members, with two more memberships pending. They will have their 15 members to reactive their Park Chapter by their August 5 meeting. David Schneider and Carolyn Rogers have organized the residents and look forward to resolving the issues at their park by working with residents and Management to correct the most serious issues first. Their next GSMOL Meeting is August 5, at 2 PM in the Park clubhouse. They hope to have a speaker from the Weights & Measures Department at this meeting. Good work Carolyn and David.

A request has come in from the Healing Waters MHP in Desert Hot Springs to hold another meeting to complete their membership drive and install new officers so they can renew their GSMOL Chapter. Their park was recently sold to new owners and is undergoing some serious renovations. Some residents are upset because the park pool has been closed for the renovations process. They need to confirm with the new Management on how long the pool will be unavailable. It is very hot in Desert Hot Springs this time of year...100+!

A request came in for a meeting to renew the Echo Hills MHP GSMOL Chapter. They are getting close to their goal. They have 11 members and only need 4 more so they can elect new officers and begin to work on some of their park problems. Larry Denny is heading up the membership drive and coordinating the park meetings.

Casa del Rey MH Estates has 14 GSMOL Members and needs one more before they can reactive their Chapter. They have had issues with day time break-ins and theft from park residents' property. We will continue to work with them to get that "one" member so they can enjoy a GSMOL Chapter again.

Green River Village MHP in Corona had their Chapter meeting along with their election of new officers on 6/26. They had 24 members at their Chapter renewal meeting. The new officers are Pres, Bill Champion; VP, Eugene Fizek; Secretary, Jacqueline Zambrano; and Treasurer, April Armstrong. They will be meeting once a week for the next few months to prioritize their issues and start the process to correct the problems. They are in good hands with President Bill Champion. Gail Mertz, Riverside AM, met with the City of Corona officials on parking and sewer issues in the park, and helped get the park organized for their election of officers and to establish an official GSMOL Chapter for the Park.

Arroyo Fairways Golf Community has started their own GSMOL Newsletter, which will be published 6 times a year and will keep residents informed on the progress in Sacramento and the most frequently asked MRL questions. We had two full pages for the first edition. A Newsletter is delivered to each resident home.

### Coalition News:

The Coalition of Hemet and San Jacinto MH Parks will meet with the City of Hemet Attorney, Mr. E. Vail, on Wednesday, July 11 at 1:30 to discuss the amendment to the current Rent Review Commission Initiative that was approved by the voters in 1979, and/or a new Rent Stabilization Ordinance (RSO) for the residents of the City of Hemet. The Coalition has been working on and discussing the merits of a new RSO for the past six months, and are encouraged that the City Attorney offered to meet with us. Will keep you posted.

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# ZONE/REGION REPORT(continued)

*Continued from Page 12*

The Coalition had Jim Sullivan and Bob Ryan from Oceanside as their guest speakers to give our Hemet Coalition Group some important pointers on the marketing of an RSO, and how they defeated ballot Measure E in June for the Oceanside mobilehome residents. The defeat of Measure E will preserve their vacancy Rent Control. They collected over 15,000 petition signatures and were able to fund their campaign with only \$40,000. The WMA outspent them 10-1. Money cannot always buy votes, but voters can win elections for the right reasons.

Overall the interest is picking up for GSMOL meetings and for information on the legislation that GSMOL has authored and supported this year.

A City of Hemet Town Hall Meeting for Mobilehome Residents will be held on Thursday, August 9, at the Hemet City Library in the upstairs meeting room. The meeting will be from 4-6 PM. GSMOL Counsel Bruce Stanton and attorney Henry Heater of the ELTH Law Firm in San Diego will give presentations on understanding and using the MRL, and Failure to Maintain issues. Our City Council person, Linda Krupa, and Community & Code Enforcement Director, Deanna Elliano, will also participate in the Town Hall Meeting discussions.

Hemet Park Estates residents have been working with the City of Hemet Code Enforcement Agency to get code violations corrected. Code Enforcement sent a letter to the park owner giving him 30-days to correct the problems before they start issuing citations to both the park owner and park residents. Good work Troy and Richard.

Country Lakes MH Park in San Jacinto is looking forward to the November ballot so they can stop the annexation attempt by the City of Jacinto of their Country Lakes MH Park. San Jacinto has no Rent Control, and with the annexation, the mobilehome park residents would lose part of their Riverside County RSO cover-

age and all of the Riverside County RSO vacancy control coverage when they sell their home or move from the park.

A request has come in from a resident of the Swan Lake MHP in Riverside, citing multiple complaints, as well as a very high crime rate within the park itself. Two recent park inspections have been made and the residents are waiting for a report from Management. They have had shootings, fires and gang activity in the park.

## Chapter 1211 Report

*By Troy Evans*

*Pres. Chapter 1211, Hemet Park Estates, Hemet*

My name is Troy Evans, newly appointed President of GSMOL Chapter No. 1211 in Hemet Park Estates. Our GSMOL Chapter would like to extend our deepest appreciation to Ms Donna Banks, our GSMOL Region 9 Manager. Donna has gone beyond the call of duty in helping us, so THANKS Donna, we love you!

As inspiration to all MHP residents, GSMOL Chapter 1211 would like to share our obstacles and struggles with you in hopes of inspiring the many people who are dealing with very reluctant & difficult park managements. This is our story.

The Hemet Park Estates is a family all-age park. There are approximately 107 units, so considering some of the larger parks out there, our park is small in size. Space is very limited but manageable. The residents have enough room to park two cars in their carports, and were provided one shed to store lawn equipment, etc. Rules and Regulations strictly prohibit tenants from storing any items underneath or around the outside of their home; however, over the past few years more and more tenants were disobeying the park's Rules and Regulations, and there was little or no accountability. Another major Health & Safety issue involves PARKING. Cars are strictly prohibited from parking on the roadways for obvious safety reasons, but over time the no-accountability factor overruled the ink and paper, thus creating

a very unsafe environment for everyone living in the park.

One day a couple of ordinary tenants realized that the once nice, neat community was in big trouble, and if gone overlooked, they would be in a world of trouble if they ever had to sell their home. Our community went from riches to rags in front of our very eyes, so those two individuals became foot soldiers and went knocking door to door gathering information. Here we are approximately 1 year into our mission to take back the community and make it as safe as can be once again, and we can happily report that we have recently installed a GSMOL Chapter in our park that consists of thirteen members at this point, and great things have transpired since doing so. GSMOL has guided our Chapter through this entire ordeal, and I must say when things got rocky or seemed to crumble, GSMOL came to our rescue and put us in touch with the proper authorities and agencies to deal with the issues.

At times it seemed as if we would never get anywhere with the park owner and his management team, but we kept on writing the letters, speaking in meetings and contacting our City officials, and now we are confident that GSMOL knowledge and hard work will soon pay dividends within our community. The City of Hemet Code Enforcement Agency recently sent the park owner and manager a notice to correct letter. We can't thank City Planner Emery Papp and City Councilwoman Linda Krupa enough for their understanding of the Health & Safety issues we were faced with on a daily basis, and for their individual assistance in the matters. We expect these much needed and long overdue changes to occur within the next thirty days.

We would encourage all of you living in similar conditions to install a GSMOL Chapter in your park and join the coalition of dedicated advocates. It worked for us and it will work in your community.

GSMOL + TIME= SUCCESS. Thanks, and keep up the great work GSMOL.

# GSMOL "Who's Who" (Leaders in Your Area-Refer to Map on Page 15 for Zones and Regions)

## ZONE A

### REGION 4

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

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### REGION 11

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### REGION 14

COUNTIES: Colusa, Sutter, Sacramento, Yolo and Yuba

#### REGION MANAGER

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## ZONE A-1

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### REGION 2

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

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### REGION 12

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### REGION 13

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

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## ZONE B-1

### REGION 8

COUNTIES: San Luis Obispo, Santa Barbara and Ventura

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### REGION 10

COUNTIES: Monterey, San Benito and Santa Cruz

#### REGION MANAGER

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Orange County

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### REGION 6

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[Vacant]

## ZONE D

### REGION 7

COUNTIES: San Diego and Imperial

#### REGION MANAGERS

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### REGION 9

Riverside County

#### REGION MANAGER

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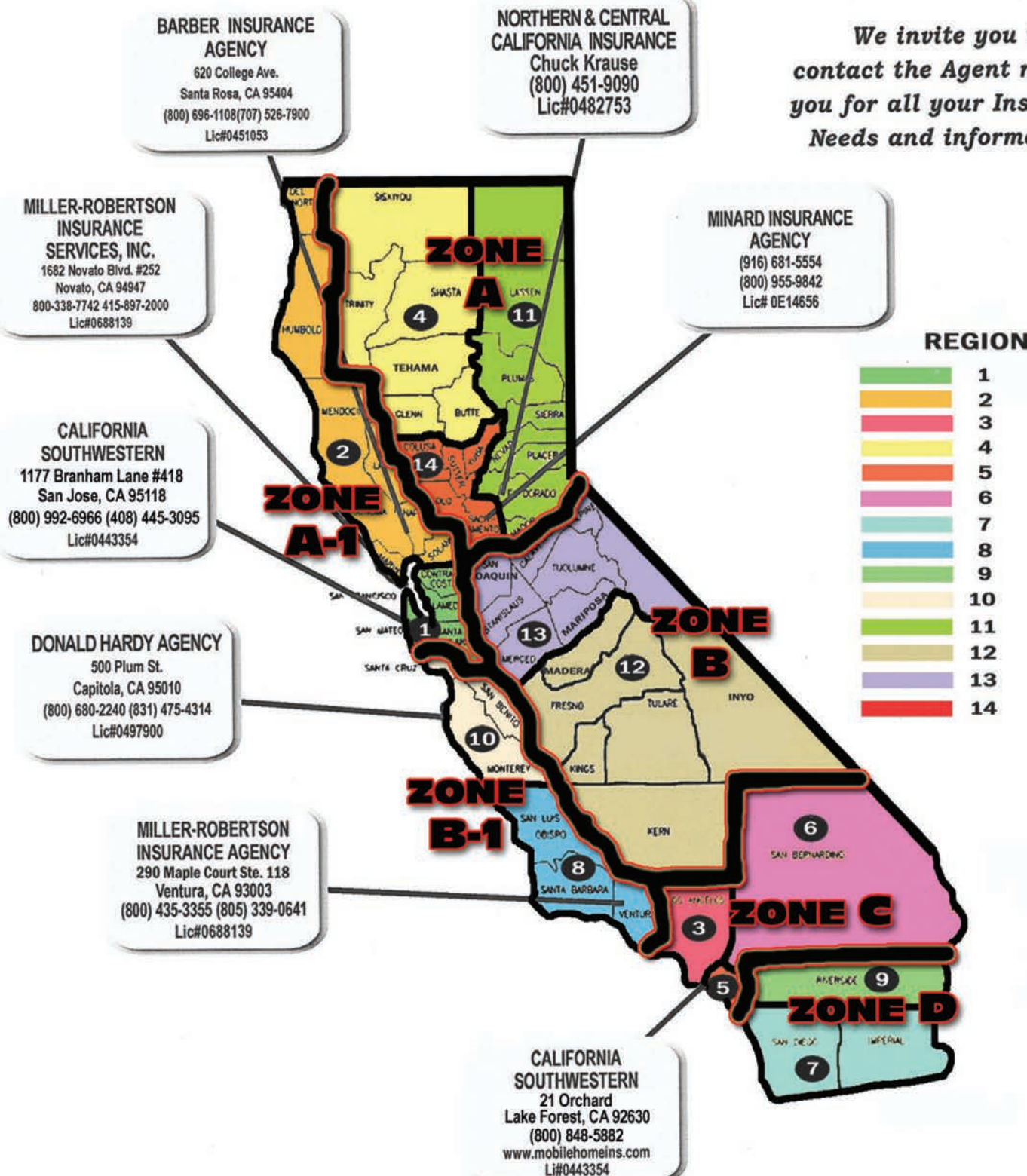
27250 Murrieta Rd. #205  
Sun City, CA 92586  
Phone: (951) 679-7030



*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 FAX : 714-826-2401



- ☐ ONE-YEAR GSMOL MEMBERSHIP for \$25
- ☐ ONE-YEAR GSMOL SPOUSAL/PARTNER MEMBERSHIP for \$10
- ☐ 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.)

(DUES ARE NON-REFUNDABLE)

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*

Homeowner Defense Fund \$ \_\_\_\_\_

General Legal Fund \$ \_\_\_\_\_

Disaster Relief Fund \$ \_\_\_\_\_

Enforcement Legal Fund \$ \_\_\_\_\_

Political Action Committee (PAC) \$ \_\_\_\_\_

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