

THE
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Page 5 - Rules & Regs Part 2

Page 11 - Ron Javor - HCD Report

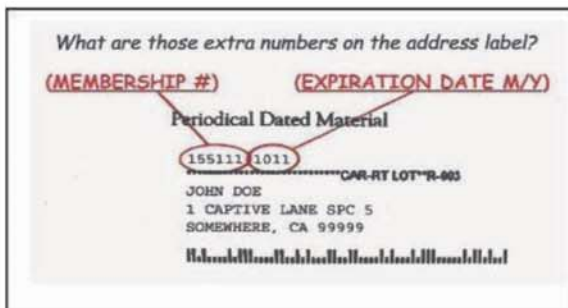
Page 12 - New ROP Vice President

Page 14 - BOD Meetings

Page 14 - Road Shows

Periodically Date Material

Jump into Spring



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(See map on page 15 for Zone boundaries)

PRESIDENT'S REPORT

President's Report

By Jim Burr

New Resources to Strengthen GSMOL in the New Year



We are confident that our new team members and the sale of the Garden Grove property will make 2013 a successful year for GSMOL. By action of the Board of Directors, we have added two new folks to the GSMOL team and used the proceeds of the sale of the Garden Grove property wisely, as follows:

New Vice President for Resident Owned Parks (ROP) We are so pleased to welcome David Loop to this volunteer position on our Board. David is a semi-retired attorney in Aptos who has assisted in the conversion of several parks over the past few years. This will allow GSMOL to serve as a far greater resource to members who wish to purchase their park. With his life-experiences, David will also add to brain-storming efforts relating to the many critical issues the Board faces. (See Page 12 article)

New GSMOL Field Organizer We are also fortunate to have recruited Darrow Sprague for the position vacated by Evan Hawkins last year. Darrow has many years of field organizing experience, worked in the Capitol, and has excellent "Train the Trainer" skills. He will be active in the field training of our volunteer Region Officers in grassroots efforts, particularly in targeted Legislative districts, and helping GSMOL leaders build our membership.

Garden Grove Property Sale You have learned of the sale of our former office in Garden Grove and leasing a suite in a modern office complex in nearby Cypress. The Garden Grove building was three-times larger than needed, and for years we had a large equity tied up in the property, while the need for greater financial resources to adequately serve and grow our membership became more evident. The proceeds of the sale made this a crossroads event for the League. The authority to sell the Magnolia property comes from the GSMOL Bylaws, as follows:

Section 1.02. The Principal offices for the transaction of the activities, affairs, and business of the Corporation shall be located in Orange County, California. Any changes of location shall require a 2/3 (two-thirds) vote of approval from the Board of Directors. Any transaction involving the use of GSMOL property or possessions, as collateral for the borrowing of funds shall require a 2/3 (two-thirds)

vote of approval from the Board of Directors

We were fortunate to negotiate a favorable above-market selling price for the Garden Grove property and to negotiate a multi-year office lease in Cypress at a favorable below-market price due to the high office vacancy rate in the area.

In addition to continued support from our members, the proceeds from the sale have helped improve GSMOL's financial picture. This allows us to modernize our operations and fully implement our Strategic Action Plan, as follows:

First, we paid off all debts owed to our internal dedicated funds, including interest, and made all deferred payments to vendors. Then, we replaced the antiquated computer automation system with new hardware and software, and upgraded the GSMOL membership database. We continue to enhance our webmaster services to improve the GSMOL website. This is an ongoing process. We revised and distributed GSMOL training manuals that help us understand the Mobilehome Residency Law (MRL), Rent Control Ordinances, Mobilehome Leases and legitimate resident ownership of parks.

Second, we set aside the remainder of the proceeds of the sale in an interest bearing reserve to fund our Strategic Action Plan for the next few years. We project that (1) dues income from new members, (2) a reduction in membership dropouts and (3) future grants from the new "GSMOL Education Fund", a 501(c) (3), can make the League self-sustaining without borrowed funds. To do this, we must accomplish the following:

- Place emphasis on increasing membership. Our Field Organizer will help us refocus on building and maintaining members and leaders. As an example, we are now engaged funding the "GSMOL MRL Road Shows" featuring GSMOL's Corporate Counsel Bruce Stanton and Attorney Henry Heater of the ELTH Law firm. Our goal for 2013 is to conduct at least one event in each of the fourteen GSMOL Regions throughout the state.
- Enhance the training for Region Officers and GSMOL Chapter officers to help us better serve our existing members and attract new ones.
- Increase our effectiveness in the Capitol by funding the Field Organizer to improve lobbying efforts in the home districts of targeted legislators and recruiting members there, along with retaining existing members.
- And more.

The availability of these human and financial resources will indeed strengthen our organization in 2013 and beyond.

CAPITOL REPORT

By Brian Augusta, GSMOL Legislative Advocate

Spring has sprung, and with it comes a few annual rituals: baseball, blooming flowers, and the official start of the legislative session in Sacramento. This promises to be a unique year in the Capitol. Democrats have secured a 2/3 majority in both houses for the first time since 1883. In the Assembly, one of the largest freshman classes ever assembled—38 brand new members—is learning the ropes. That number could increase to 40 by mid-year, because Assemblymembers Torres and Hueso are running in special elections to fill two vacant Senate seats. If they succeed, at some point this year, half of the 80-member body will be first-year legislators.

On the other hand, this group will be the first to serve under new term-limit rules, which allow a legislator to serve 12 years in one house. For those starting in the Assembly, that could mean serving twice as long in that house as under the old rules. It remains to be seen how that will affect policy making, but some are predicting that having a larger group of more experienced legislators in the Assembly will improve the quality of their work. In either case, for the short-term it means manufactured homeowners have some work to do in the Capitol, getting to know these new legislators and talking to them about manufactured housing issues.

Against this backdrop, GSMOL is sponsoring three bills this year.

SB 510 (Jackson) - Protect Homeowners from Unfair “Condo” Conversions

GSMOL and its allies have been working to fix the broken subdivision map act provision that allows for rental parks to be subdivided and converted to “condos.” Aggressive investors have exploited this process, and forced conversions that do not have the support of the homeowners, often to the detriment of the homeowners’ investments in their homes.

The biggest issue is the survey of support that must be taken of homeowners in a park that is proposed for conversion. That survey is intended to give homeowners some say in the process, and to be used by the local government in determining whether or not to approve the conversion. But park owners have resisted, arguing in numerous cases that the survey has no role in the local government’s decision making. The issue has spawned numerous trial and appellate court cases.

After some victories in the courts, homeowners were hope-

ful that the CA Supreme Court would review the latest such case, and hopefully put the issue to rest. GSMOL hired a prominent attorney in the field, Will Constantine, to assist in petitioning the CA Supreme Court to take the case. Unfortunately, homeowners learned earlier this year that the Supreme Court would not take the case, leaving us to return to the legislature to once again seek protections for homeowners from unfair, unilateral park conversions.

SB 510 will seek to clarify the role of the survey of support and ensure that local governments have clear authority to weigh the survey, and turn down a conversion that does not have sufficient support. GSMOL is sponsoring SB 510, supported by local governments and other housing and homeowner groups, to finally bring clarity to this law, and ensure that homeowners are protected.

AB 692 (Torres) - Grants and Loans to Homeowners in Need of Repairs

The state Mobilehome Park Resident Ownership Program (MPROP) is funded by an annual fee charged to some manufactured homeowners in California. While the program was originally created to assist homeowners in purchasing their parks, the current economic climate has resulted in few such proposals. The fund continues to swell with homeowners dollars, but sits untapped. GSMOL is sponsoring AB 692 to explore ways to make a small portion of those funds available to homeowners in need of loans for repairs or upgrades, and get more of that money out to homeowners who have paid into the fund.

AB 1205 (Wieckowski) - Manufactured Housing Mediation Program

Too often in manufactured housing communities, disputes arise between homeowners and management. Homeowners have few options to resolve these disputes. Turning to the courts is costly and few homeowners can afford an attorney. AB 1205 will be a vehicle for working this year to build support for replicating a successful program from the State of Washington that provides mediation services—funded by a per-space fee—to assist homeowners and management in informally resolving disputes, and protecting homeowners from unfair managers.

We need your help to pass these critical bills. Contact your local GSMOL leader to find out how you can get updates and alerts and be part of our legislative advocacy.

QUESTIONS & ANSWERS

THE NUTS AND BOLTS OF PARK RULES AND REGULATIONS PART 2



By: Bruce Stanton, Attorney

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

Mobilehome or manufactured home communities are high density residential housing developments, where many people occupy a limited amount of space. Because residents live close to one another, and must necessarily share in the use and enjoyment of common area facilities, rules and regulations regulating conduct within the community are both valuable and necessary. Homeowners would not want to live in a community with no rules. Some regulation is necessary to ensure the quiet enjoyment of all residents, and to prevent chaos in the community. According to the Mobilehome Residency Law (MRL), rules become a part of the rental agreement for the mobilehome space. Park owners have unilateral power to enact and enforce rules and regulations, since they own the property, and should do so in a fair and reasonable manner. But this is not always the case, and issues commonly arise in connection with the content and enforcement of park rules and regulations.

In Part 1 of this Article which previously appeared in The Californian, we answered several common questions that are typically asked about rules and regulations. In Part 2 we discuss some remaining questions:

How can I require my park owner to enforce its Rules and Regulations?

This is an all-too-common problem. Although park owners have several remedies at their disposal to require compliance

with Rules and Regulations, some parks do not enforce them. This might be by choice, or due to negligence or inattention. But the result is the same: a community where some residents follow the rules, some do not, and no enforcement occurs to force the offenders to comply. No homeowner has the power to enforce park rules. So do residents have any ability to require the park owner to enforce them? The answer is: YES.

There are actually several ways that a park owner can require compliance with park rules. One is the threat of eviction, following service of a 7-day notice under Civil Code section 798.56(d). Another is the power to obtain an injunction from a court for violation of park rules, which is found in section 798.88. Where some rules violations result in a nuisance, the park owner can also proceed under section 798.87 to abate the nuisance. And under section 798.36 the park owner can serve a 14-day notice of its intent to remove offending personal property items, debris or other items, or to perform required landscaping to bring the space back into compliance with the rules, the charges for which may be billed to the resident. Sometimes a park owner simply needs to be reminded that these remedies exist, and that the homeowners expect the park owner to use them.

I always recommend that a written notice be sent from the GSMOL Chapter, the HOA or, if possible, a collection of homeowners, which request enforcement of specified rules. Photos or other evidence should be attached whenever possible. Putting the request in writing creates a "paper trail" in the event that homeowners need to later prove that they made the request. Be as specific as possible in making your request. The first letter should be polite but firm. If there is no response, the second letter should indicate that the park's failure to enforce will be treated as a breach of the rental agreement, and will also be deemed by the homeowners as a waiver of the rule in question. This would mean that no one has to comply with it. If a park owner is faced with the possibility that inaction will waive ability to enforce a rule, the owner might be motivated to see that it is enforced. The park owner needs to be informed that its failure to enforce will make it far more difficult to evict offenders in the future, who will be sure to argue in court that no enforcement has occurred. For example, if a park rule says that there can be only one dog, and many residents are allowed for years to have 2 or more dogs, the failure to enforce can result in the defense of estoppel; i.e. the homeowners can argue that they acquired multiple dogs because they believed the park owner had waived compliance with the rule, and that they thus "changed their position" in reliance upon this.

(Continued on Page 6)

Q & A (continued)

(Continued from Page 5)

A court could find that the park owner is not able to enforce the one-dog limit.

Ultimately only a court action can force the park owner to enforce its rules if they won't respond to homeowner requests. This would be a last resort, to be used only when the park owner simply will not respond.

Some park owners view rules enforcement to be an expense and thankless process which is too burdensome and expensive to pursue. The key in these cases is how you communicate with management. Many homeowners are concerned about the condition of other home sites in the park, and desire that uniform standards be kept. A group of homeowners who want space conditions to improve can offer to work with the park owner to make compliance work. If the owner knows that a committee or group of residents will assist to convince their neighbors to comply with the rules, a joint effort can achieve the desired goals for both sides; a true "win-win" situation. So offer to work with your park owner. When you write your letter, don't just threaten or complain, but also ask how the residents can assist the park with rules enforcement. If the park owner knows the level of your concern, and that you are willing to assist with enforcement, the odds of achieving results will improve.

Can I be charged a fee for the enforcement of Park Rules?

The answer is: No, except for the two situations described in Civil Code section 798.36. If the park owner alleges that landscaping or space maintenance is required, this section allows service of a 14-day notice of intent to perform the work if the homeowner does not do it. The notice must specify the basis for the notice, and cite the rule or regulation relied upon. It must also state the condition to be corrected and an estimate of the charges to be imposed if the homeowner does not comply. Any homeowner faced with such a notice should comply at once if the notice is accurate, since the park's charges will likely be more than what the homeowner would pay to have the work done. Note that while the MRL does not describe any limits to the amount that can be billed to homeowners who do not comply, the law would require that the amount be reasonable, and it should be based upon a professional estimate of the cost to do the work.

The same section sets forth a detailed procedure allowing the park owner to charge for removing personal property from the space which constitutes a rules violation. Again, a 14-day

notice is required, and storage fees may be owed. The section also describes lien, auction and sales procedure for the property which is removed.

Other than these two scenarios, a homeowner cannot be charged a fee for the enforcement of park rules. But if the park owner is forced to file an eviction or injunction action, attorney's fees and court costs can be awarded against the homeowner if the park owner prevails in court.

Can Rules and Regulations be retroactively enforced?

The clear answer is: No. Since Rules cannot take effect until they are noticed in writing, a meeting is held and a waiting period expires before the effective date (see Part 1 of this Article), it is impossible to pass a rule and then retroactively require its enforcement. No homeowner can be expected to follow a rule which does not exist, and until they have been informed long enough ahead of time to change their conduct.

Are managers and park employees obligated to follow Rules and Regulations?

Absolutely. With two exceptions, Civil Code section 798.23 states that a park owner and its employees must follow the park rules. The only exceptions are rules governing age (park managers need not qualify as seniors when managing a senior park) and acts undertaken to fulfill park duties. An example would be the need of the manager to park in the fire lane where no parking is typically allowed, in order to respond to an emergency or read the utility meters.

In conclusion, rules and regulations are a necessary and important part of mobilehome living. Homeowners need to be aware of the many nuances and issues which relate to their enactment and enforcement.

GET ON GSMOL EBLAST ALERT SYSTEM

GSMOL delivers many messages and alerts to its members via what is called an Email Blast message system, or Eblast. To get on the GSMOL Eblast net, we need to have your email address. If you want to participate in this system, please email Brian Augusta at baugusta@housingadvocates.org giving your name, park name, GSMOL membership number and permission to have your name added to the Eblast address list.

GET ELECTRONIC DELIVERY OF THE CALIFORNIAN

The GSMOL CALIFORNIAN is available in an electronic PDF format that can be delivered to members via an email attachment. If you would like to receive your CALIFORNIAN this way, please email a request, giving your name, park name and GSMOL membership number, to Mary Jo Baretich at mjbaretich@hotmail.com

Receiving the CALIFORNIAN electronically helps GSMOL reduce its printing and mailing costs considerably. Your help in this effort is greatly appreciated.

NEWS AROUND THE STATE

By Tom Lockhart
GSMOL State Secretary

Zone D Region 7

Five mobilehome parks in the Chula Vista area were sold to new corporate owners during the last 15 months. Three were sold as a package and the other two were individual park sales. In no case did the residents of the parks buy their own park and turn it into a resident-owned park, considered by many to be the best way to live in a mobilehome park in California.

Zone A-1 Region 1

The California Department of Housing and Community Development (HCD) inspected the Fair Oaks Mobile Home Lodge in the City of Sunnyvale and will notify residents of any code violations, with a 60-day correction period.

The Fair Oaks Mobile Home Lodge Association, PG&E utility company, and Sunnyvale Trinity Church through its Beautiful Day program have offered to assist park residents. Also, the City of Sunnyvale has rehabilitation programs, including paint grants up to \$1,000, for the residents, and the park owner has offered assistance.

Space rent has increased from about \$600 in 2007 to almost \$1,000 today. Several residents have sold their homes due to the increased rent.

The Sunnyvale City Council recently updated the mobile home park conversion ordinance. Some residents are concerned about a possible closure of the park and subsequent loss of their homes.

The ordinance now protects residents against the purposeful devaluing of a park's property. Also, park owners must provide residents with 90 days' notice of their intent to convert the park. The City will become directly involved with any relocation efforts and expenses due to a park closure. Low-income park residents will receive a 24 month rent subsidy after a park closure.

Zone C Region 3

The City of Santa Monica wants to sell its interest in the 105 home Mountain View Mobile Home Park, which is under rent control, and represents one of the City's efforts to maintain affordable housing.

The City's investment is about \$ 13 million, including the purchase price in 2000, infrastructure improvements, and replacing 20 aging units with new manufactured homes. Low income residents had the option to purchase their homes.

Some park residents recently filed a \$121 million law suit against the City, claiming failure to maintain the park, and other claims related to the management of the park.

The City is willing to consider either a nonprofit corporation or a for-profit corporation to own and operate the property. A for-profit corporation would have to consider the rent control and vacancy control aspects of the current residency agreement with the City, as well as income considerations for residents.

The park is also part of the plans for relocating residents of the nearby Village Trailer Park, which was, until recently, slated for closure.



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ZONE/REGION REPORT

ZONE B – 1 REPORT

Marie Pounders, Region 8 Region Manager

SLOMAP Launches Website!

The San Luis Obispo Mobilehome Residents Assistance Panel, SLOMAP, began in the summer of 2008. Motivated by the efforts of many residents who worked diligently on the SLO County MHP Closure Conversion Ordinance, Sea Oaks MHP took the lead in forming a county-wide mobile/manufactured home residents' group which would eventually serve all parks. Working with our local GSMOL Leadership, HOA and GSMOL resident volunteers soon represented parks in all geographic parts of the county: Coastal County, North County, South County and the cities of San Luis Obispo, Morro Bay, Grover Beach and Atascadero.

SLOMAP has worked hard these past four years to build a strong relationship with county government officials as well as identifying government contacts in all cities. Our accomplishments have included two major Regional Conferences which were held in 2008 and 2010 respectively. SLOMAP spearheaded a jointly sponsored forum for the 33rd District Assembly candidates in the fall of 2010. This function not only brought together six major non-profit community organizations to support the educational focus of the League of Women Voters, but also gave the public an opportunity to be introduced to GSMOL, SLOMAP and the other groups. The Legislative Action Team has also always been a top priority for SLO County. Our LAT Coordinator is an important part of the SLOMAP team and our LAT has park Leaders in all of the large parks and contacts in the smaller parks. In 2010-11, SLOMAP began working with the Northern Santa Barbara County Manufactured Home Owners Team (NSBMHT) to encourage their county officials to draft a Mobilehome Park Closure Conversion Ordinance which adds a significant layer of protection for all residents. SLOMAP and NSBMHT added a sister organization, SCAMPR (South Coast Alliance of Manufactured Home Park Residents in southern Santa Barbara County) that same year. In March of 2012, their goal was met as the Santa Barbara County Board of Supervisors unanimously approved the new ordinance.

Now, in 2013, SLOMAP is moving onto the INTERNET with its new website where you can find information about mobilehome laws and both rent stabilization and park closure ordinances throughout the state, discover local community resources as well as read selected NEWS articles pertinent to mobilehome living! We encourage everyone to visit our website. We are working on our Spanish edition and hope to have that up and running in another month or so. All in all, SLOMAP, NSBMHT and SCAMPR are excellent examples of how GSMOL and local HOA leaders can work together to provide

information and services which help protect and enrich the lives of people who reside in our mobile/manufactured home parks. Visit us at: www.slomap.org

ZONE C Regions 3 and 5

By Mary Jo Baretich, Zone C Vice President

Senate Select Committee on Manufactured Homes and Communities: On January 11th the Senate Select Committee on Manufactured Homes and Communities meeting was hosted by Chairman Senator Lou Correa in Santa Ana. The room was filled to capacity, as always. Excellent information was shared by the team of learned attorneys and others who fielded questions from the audience. Whenever and wherever these events are held, we encourage you to attend. They are extremely worthwhile and give everyone an opportunity to ask direct questions of those on the panel. The new Chairman of the Senate Select Committee on Manufactured Homes and Communities is Senator Richard Roth of Riverside. The next Committee meetings will probably be scheduled near his district offices.

New Mobilehome Park Conversion Ordinance in the works: Costa Mesa is getting closer to formulating a Mobile Home Park Conversion Ordinance, tailored after other ordinances already in place in several cities and counties. This proposal came about after the Anchor Trailer Park Closure Impact Report (CIR), originally written by the Sue Loftin Firm, had gone through 5 iterations with a very time-consuming process. The final 6th revision is being worked on with inputs from the residents at the Anchor Trailer Park. The primary leader of Anchor is Maria McCarty who has put in hundreds of hours researching every aspect of the CIR. Without her persistence, the homeowners would have been given only a fraction of the value, or a fraction of relocation benefits. The City Council was made aware of the series of irregularities uncovered in the original CIR, and it is hoped that they will support the homeowners. Maria will continue to watch what is going on and keep us aware in case she needs more help from GSMOL.

At a recent City Council meeting, I said the time is right to get an ordinance in place, based on ordinances written for other cities, but tailored to Costa Mesa, in order to reduce the time and cost associated with processing individual CIRs in the future.

I also suggested the formation of a Mobile Home Park Conversion Ordinance Committee made up of Costa Mesa mobilehome homeowners with a City Council Liaison and part time staff person to draft the proposed ordinance. Two City Council members have already pledged their support for this project. I also offered my support in helping coordinate this effort.

(Continued on Page 9)

ZONE/REGION REPORT

(Continued from Page 8)

The Los Angeles Mobile Home Park Task Force (MHPTF):

A meeting was held on January 29th to further discuss the Cardenas Motion wherein the park owners are proposing to raise the rents to new buyers in excessive amounts and tie the raise to the number of years that an owner has lived in the park. The longer you have lived in the park, the harder it would be to sell your home because of the way the Cardenas Motion is stated. The table below shows the extreme rents that could be imposed in the City of Los Angeles.

Years of Tenancy	Allowable Increase Upon Vacancy
0 - 5	25% of the difference between current rent and average of the 3 highest space rents in the park
6 - 10	50% of the difference between current rent and average of the 3 highest space rents in the park
11 - 19	75% of the difference between current rent and average of the 3 highest space rents in the park
20 +	100% of the difference between current rent and average of the 3 highest space rents in the park

It is imperative that this Motion be defeated in the MHPTF once and for all. Another MHPTF meeting on the Cardenas Motion will be held on March 5th in the Los Angeles Housing Development building.

Reactivation of GSMOL Chapters: We reactivated two more parks in February, with the prospect of reactivating two more parks in March. On February 3rd, we reactivated Ramona Villa Mobile Home Park in Rancho Cucamonga, and on February 24th, we reactivated at Valley Village Mobile Home Park in North Hollywood. Pictures will follow in another issue.

Our membership in Zone C has been growing. We have plans to reach out to more parks that have contacted us, educating them through our slide show and problem solving presentation. We try to empower the homeowners, stating that our message is "Alone You are One, but United, You are Powerful." This is so true, and people do not need to fear individual retaliation for speaking out on issues and problems that are park-wide, or health and safety issues. We promote the education of managers as well as homeowners. This has

been working, and in some instances rules and regulations are being changed and updated. A better quality of life is our Primary Goal.

New Associate Managers: On Sunday, February 24th, Region 3 Manager, James Scott, announced that Chuck Loring was being appointed as a new Associate Manager for Region 3. Chuck is the President of the Valley Village Mobile Home Park GSMOL Chapter 1486. He has been working on issues in his own park for several years and is quite familiar with the Mobilehome Residency Law and other statutes. He will work with Valerie Montoya, our other Associate Manager in Los Angeles County, to aid homeowners in the Western part of Los Angeles County.

On February 26, Region 5 Manager, Ray Downing, appointed Ray Deniston as a new Associate Manager in Orange County. Ray Deniston is the President of the GSMOL Chapter 0141 and HOA for the Rancho La Siesta Mobile Home Park in Fountain Valley. His personality, drive and enthusiasm, coupled with his quick grasp of the Mobilehome Residency Law and other statutes, will help us in the South Orange County area. He will be working with Nancy Agostini and Tim Geddes, two more Associate Managers already in Orange County.

(Continued on Page 13)



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HCD UPDATE

DO YOU REALLY OWN YOUR MOBILEHOME?

MISTAKES AND SCAMS ARE RAMPANT!!

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 regarding mobilehome park matters.)

Just as we often hear of a “silent epidemic”, or are told we should “ignore the 800-pound gorilla in the room”, a little known and seldom shared problem exists for many homeowners in mobilehome parks: these homeowners don't really own their manufactured homes! The saddest part of this problem is that it may have arisen out of an effort for a home buyer to save some money, a home seller transferring a home due to a personal crisis, inter-family informal exchanges, or misdeeds by a park manager unknown to the park's owner.

HCD serves several roles in mobilehome parks. One is the enforcement agency in about 70% of the parks for the Mobilehome Parks Act (“MPA”), dealing with health and safety issues; in the other parks, local enforcement agencies (“LEA's”) do direct enforcement, but have to follow HCD rules. Another is HCD's Registration and Titling Program (“R&T”) which processes title change requests, collects certain fees and taxes on behalf of the State, and acts as the official “recorder” of titles and liens on manufactured homes. The third is HCD's Occupational Licensing Program (“OL”), which ensures that persons selling or buying mobilehomes and manufactured homes as a business are properly licensed, and that those who do not have licenses but do so are properly punished. All three programs overlap when dealing with homeownership and title problems, and the R&T and OL activities arise in all parks, whether the MPA is enforced by HCD or an LEA.

There are about 365,000 mobilehome park lots in California, almost all of which have a mobilehome or manufactured home on them. Thousands—if not tens of thousands—of these homes are occupied by families who thought they properly purchased them but, in fact, the homes never have been registered in their names. The purchase may have been from a family member or friend, or it may have been from a park after an abandonment; it also may have been from or through a park manager or park owner who had no

legal authority to sell the home and never made the effort to ensure that title properly passes, or even purposely avoids transferring title.

My next several GSMOL articles will deal with various facets of this issue, what to look for, and how to deal with the problem. Why is this important? For many people, their home is their largest investment, their primary source of equity, and a “savings account” to be used in case of an emergency.

If a home is not properly registered in the owner's name, a legitimate sale to a new buyer cannot occur because every legitimate buyer will expect to be able to transfer title ownership into his/her name; but if the home is not in the seller's name, title transfer is difficult if not impossible, and may be more costly as well. Similarly, a desire to formally and officially share title with a spouse or other family member will be frustrated because the current “owner” cannot add a co-owner without proper ownership. Also, in the event of the death of the putative owner, the spouse or other person who should be able to inherit the home cannot do so, since the home cannot be transferred.

In addition, if the current “owner” is not the record owner, fees and taxes that are payable annually are accruing, along with interest and penalties for nonpayment. Even if a transfer can be accomplished, either by finding prior owners or by using an alternate process approved by HCD, no formal transfer can occur until all back taxes, fees, penalties, and interest are paid, and this can be hundreds or thousands of dollars. For example, an older doublewide home with unpaid fees and taxes for only five years would cost \$5/year for the Mobilehome Park Purchase Fund, \$46/year (plus a \$3/year late fee) for registration fees and \$40/year (plus a 20% per year late fee) for taxes, totaling over \$500.

What if the roof leaks during a rain storm or the, electrical service goes out during a heat wave or freeze, and the owner needs a replacement or major repair, only the registered owner can obtain a permit to major work such as this. The owner is left with three choices: no air, illegally repair without a permit (and suffer the possibility of a lease violation and/or shoddy, un-inspected work), or the need to begin the lengthy process of obtaining ownership and paying back fees.

(Continued on Page 12)

HCD UPDATE (Continued)

(Continued from Page 11)

Finally, and most importantly, it is illegal under Health & Safety Code section 18550(c) for a person to even live in a mobilehome or manufactured home which is not in compliance with HCD's registration requirements. If a park lease requires compliance with all applicable state laws and regulations, this failure could result in eviction!

What can a person do to ensure that this problem does not exist or arise? The first thing to do is to find out whether you own your home and that all information recorded for your home and ownership is correct. You can find out whether you own your home with a free call to the toll-free number of the R&T Call Center, at 800-952-8356. They will tell you if you own your home, but if they tell you that you are not the record owner, you will have to pay \$25 to get a formal title report to find out who the record owner is and where that owner receives mail.

You should not keep this information to yourself, but share it with your neighbors. If your neighbor does not own his/her home, he/she may not be able to get permits to make repairs, obtain fire insurance in the event of a catastrophe, or even sell the home, leaving you with an ugly or dangerous nuisance, affecting your home value and him/her with a loss of equity.

What can you do if you find you are not the record owner or HCD has no record of your ownership? What if you are making house payments to the seller, but the seller doesn't put your name on record as the registered owner? What options do you have? Do you have any recourse against the person who sold you your home? These are all questions for future columns.

NEW GSMOL FORMS AND BROCHURES

GSMOL has recently updated all its forms and brochures, including those associated with forming new Chapters and reactivating old ones. They are now available electronically or in hard copy. If you need GSMOL forms or brochures, please email or phone Mary Ann or Katie at the GSMOL office in Cypress. mcoleman@gsmol.org 800-888-1727.

NEW GSMOL ROP VICE PRESIDENT

GSMOL is very pleased to announce an appointment to the office of Vice President for Resident Owned Parks, (VP ROP). David Loop, a resident of the resident-owned Aptos Knoll MHP in Aptos, was appointed to the position by the GSMOL Board of Directors on February 22 by a unanimous vote. Dave is an attorney, and has represented mobilehome park residents several times over the recent years in their efforts to purchase their parks, including his own Aptos Knoll MHP. As such, he will bring a significant expertise to the advocacy and accomplishment of resident owned park purchases in California.

GSMOL has long stated that the best arrangement for persons living in a mobilehome park is for them to own the park itself, the land their homes sit on. They become both homeowners and landowners, and thereby have firm control over their future as mobilehome park residents.

They no longer are concerned about exorbitant rent increases, economic eviction, or inadequate park management. Their monthly payments are stabilized, often at an amount lower than what they had previously been paying in the land-rental agreement, and they enjoy the peace of mind of being in control of their future.

Please contact Dave at deloop1@gmail.com if you are interested in learning more about purchasing your park. There are several very important steps that need to be taken by park residents to begin the process, and Dave can advise you on how to do them. In addition, he can give you important information on selecting legal and financial professionals to assist you in the purchase.

If you currently reside in a resident-owned park and need advice on various aspects of such living, Dave can provide information there also.

We are very pleased to welcome Dave Loop to the GSMOL VP ROP position, a valuable addition to the GSMOL team.

ZONE/REGION REPORT (Continued)

(Continued from Page 9)

Region 9 Report

By Donna Banks, Region 9 Manager

Hemet – No renter's fee, a crowd of over 400 Hemet mobile-home park residents were told at a ROCS (Restore Our Community Strategy) meeting on Jan 24. The \$25.00 monthly fee was initiated by the ROCS Committee to help pay for more police officers. The \$25.00 fee would have gone into the City of Hemet General Fund, but there was no guarantee that the money would be used to hire the officers.

Many senior mobilehome residents stated they were not causing the increase in crime in the city, and were more often the victims of crime. The effort to organize and have the mobilehome residents attend the ROCS Meeting on January 24 was a joint effort on the part of Donna Banks, Region 9 Manager, and Julie Paule, representing the Western Manufactured Housing Communities Association (WMA) (park owners). Julie stated, "I would really encourage this committee to not continue this attack on renters." Erin Guzman, Attorney for the Hemet West MHP stated she felt it was a punitive fee being put on the mobilehome residents. GSMOL Corporate Counsel, Bruce Stanton, submitted a letter to the City of Hemet ROCS Committee Chairman, Daniel Godrich, stating he felt that if the City needed to raise money to fight crime, it should be passed on to all City of Hemet residents equally. As a result of this meeting, many of the Hemet mobilehome residents are eager to proceed with a voter initiative to place a Rent Control Ordinance on the ballot for the residents of Hemet. Marcia Scott, GSMOL Associate Manager, will be working with residents from Villa del Sol to explore the idea of petitions to raise the awareness of the need for a Rent Control Ordinance for all Hemet mobilehome park residents. The savings per resident is \$300.00 a year. With over 45 mobilehome parks in Hemet, the total savings to the Hemet mobilehome community residents would be in the thousands of dollars per year. While the WMA and GSMOL have not always stood on the same platform for a cause, this was one time that the two Groups working together helped all of the Hemet mobilehome residents.

Gail Mertz, GSMOL Region 9 Associate Manager and Grant Yoder, retired GSMOL Associate Manager, worked together to alert Sun City's Bel Air MHP owner that his park was covered under the Riverside County Rent Control Stabilization Act, 760-02. The park owner had issued a \$59.00 rent increase to each space in his park. The annexation records of the Sun City City Council showed the Bel Air MHP was still under the Riverside County RSA, and therefore his proposed \$59.00 rent increase

was not legal. The Bel Air MHP owner reduced the increase to the amount allowed under the provisions of the RSA. Thanks to Grant, who had the history of the annexation records and working with Gail, they were able to get the rent reduction for the residents, a savings of about \$700 per year per resident. As a result, the Bel Air GSMOL Chapter 0432 was reactivated with 42 members. GSMOL Managers go the extra mile to help and assist our mobilehome residents.

Green River MHP in Corona continues to struggle with management issues. They had a GSMOL Officer election, and now have a full slate of officers. The issue of a \$22.47 per month Property Tax assessment to each MHP owner will be discussed at their meeting on March 5. Gail Mertz is working with Green River to make sure their concerns are addressed and not overlooked by management.

Hemet's London Spires MHP had a 4-day power outage in August 2012. All of the residents have now received their out-of-pocket expense reimbursement checks. They continue to recruit more members to reactivate their Chapter. GSMOL's Marcia Scott is working with the park residents.

A GSMOL Region Workshop is scheduled for Friday, March 15, at the Hemet West MHP in Hemet.

The meeting is scheduled in the park clubhouse from 10am to 12 noon. We have representatives from the Hemet Code Enforcement Team who will explain how to get your park on the inspection list and what to expect during the inspection. We will also cover the procedure to file a complaint with HCD and have sample letters to illustrate the language and style that will help you get the results you want. We also will have Erin Guzman, an Attorney for many mobilehome parks in Riverside County.

Tim Sheahan, VP for GSMOL, Zone D, will discuss the history of GSMOL, the recent legislation passed/signed off by Governor Brown and "selling older homes in place".

We want to thank the Hemet West Mobilehome Park Management for the use of their Clubhouse and to Larry Graves, HOA/GSMOL President at Hemet West for making the accommodations possible for the Region 9 Workshop. All attendees will receive a 2013 Mobilehome Residency Law Manual. We will have a few templates to cover some of the more frequent MRL problems and how to handle them via a letter to the Park Manager/Owner. Hemet West is at 5001 W. Florida, across from Win-Co. Lots of free parking at the Clubhouse. We will adjourn the workshop at 11:45 and have a closed meeting with all GSMOL leaders/potential leaders to cover GSMOL's goals for 2013-2014. Contact Donna Banks to sign-up for the Workshop and reserve your free MRL Manual.

(951) 927-3397 or donnabanksgsmol@aol.com

MORE GSMOL ROAD SHOWS

GSMOL is pleased to announce the scheduling of two more ROAD SHOWS in March to educate mobilehome owners on their rights under the Mobilehome Residency Law (MRL).

FEATURED SPEAKERS DISCUSSING THE MRL and OTHER LAWS:

GSMOL Corporate Counsel Bruce Stanton: From San Jose, CA, has been representing mobilehome residents and homeowners for over 25 years.

Henry Heater: From the San Diego Law Firm of Endeman, Lincoln, Turek & Heater, LLP, specializes in Failure To Maintain Lawsuits and other areas of mobilehome law.

A question and answer period will follow this entertaining and interactive presentation.

Friday March 15 Oceanside Rancho San Luis Rey MHP 5 to 8 PM
For details, call Tim Sheahan 760-727-4495

Friday March 22 Huntington Beach, Murdy Community Center 11:30AM to 2:30 PM
For details, call Mary Jo Baretich 714-960-9507

GSMOL BOARD MEETING 2013 SCHEDULE – SAVE THE DATES

The GSMOL Board of Directors holds quarterly Board Meetings each year. Two are held in northern California locations and two in southern California. The dates for the remaining meetings in 2013 are:

April 24, Northern CA, Sacramento area at the Lions Gate Hotel, 3410 Westover Street, McClellan, CA 95652 (On former McClellan Air Force Base, about 8 miles northeast of Sacramento)

July 26, Southern CA

Oct 25, Northern CA, Sacramento area

Specific locations for the July and October meetings will be announced in later issues of the CALIFORNIAN and on the GSMOL website as arrangements are finalized.

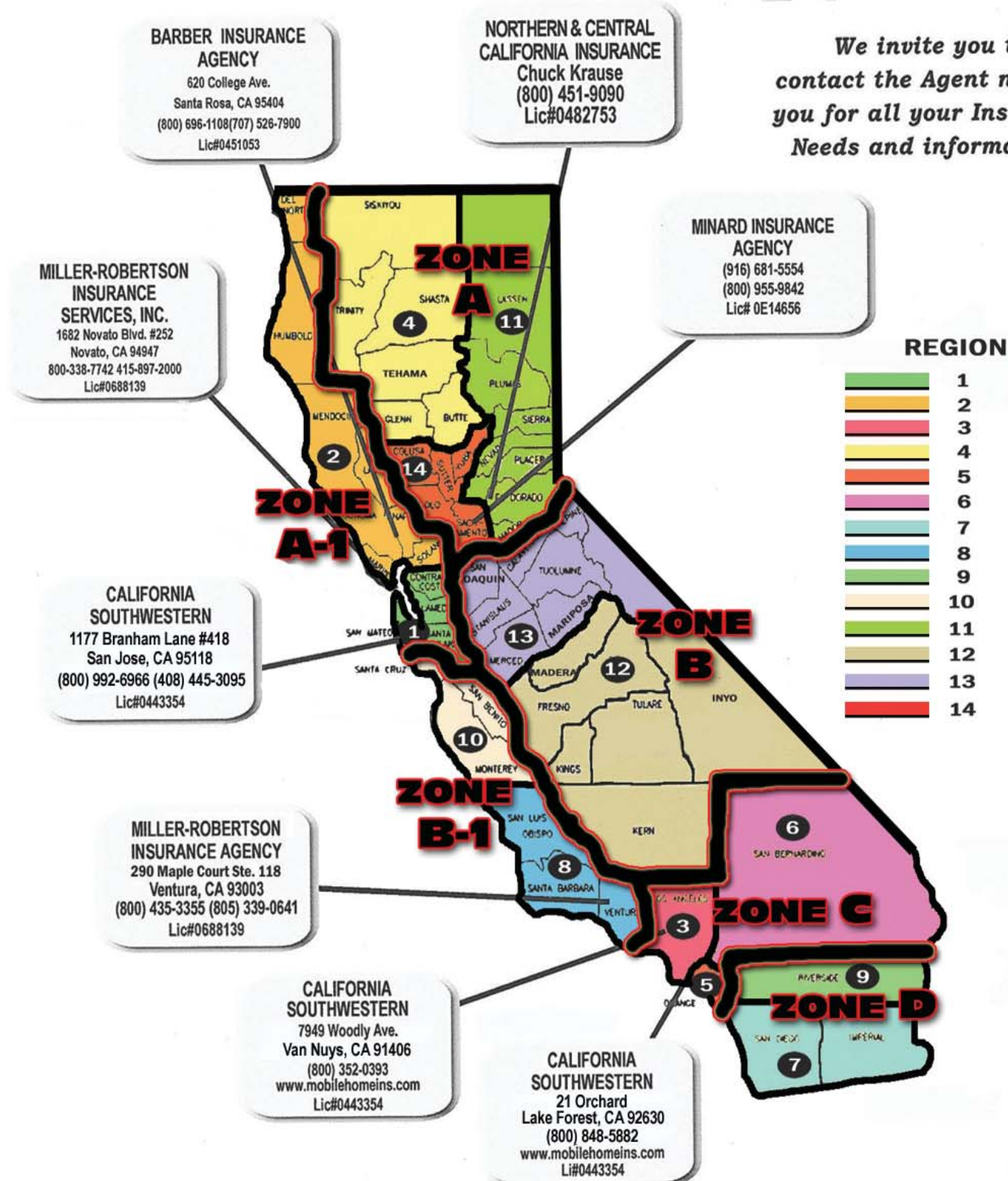
In addition, a GSMOL Training Retreat will be held on April 25 in the Sacramento area at the Lions Gate Hotel, in conjunction with the April 24 Board Meeting.

If you plan to attend the April 24 Board Meeting or the April 25 Retreat, please contact Laurie Gerberding at the GSMOL office, 800-888-1727 or Lauriegsmol@yahoo.com

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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!

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- ☐ 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

Legal Defense Fund \$ _____

Disaster Relief Fund \$ _____

Political Action Committee (PAC) \$ _____

DETACH AND KEEP FOR YOUR RECORDS Thank you!



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