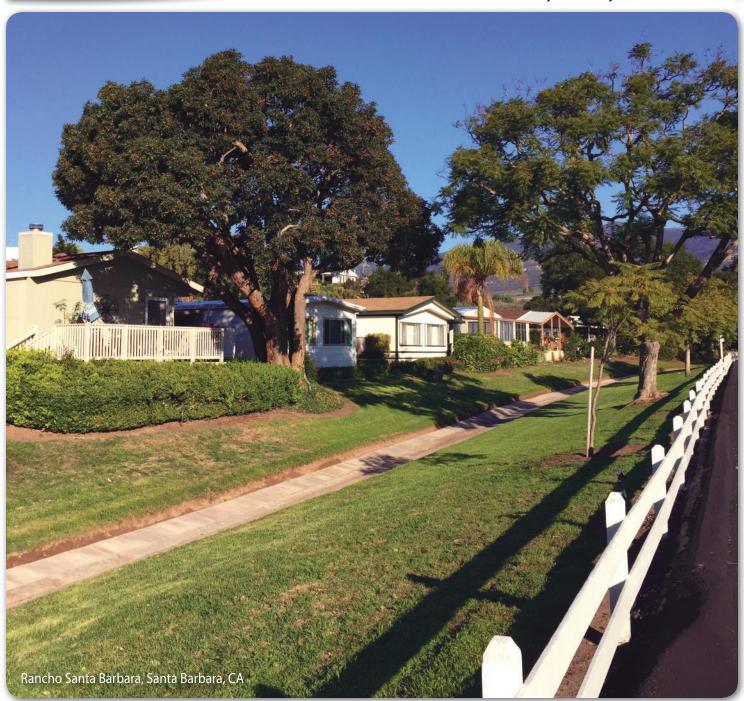


# CALIFORNIAN

GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

Volume 50 • Issue 1 January/February 2015



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11 ➤ Disaster Planning

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Get Help from

GSMOL



#### What are those extra numbers on the address label?

#### (MEMBERSHIP EXPIRATION DATE M/Y)

Periodical Dated Material

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## GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE (USPS 898-320)

Official bi-monthly publication of the Golden State Manufactured-Home Owners League, Inc.

GSMOL enhances the quality of life for all Manufacturedhome owners and for residents of Mobilehome Park Communities throughout California. We champion the property rights of homeowners, and deliver value through advocacy, information and service. GSMOL lobbies for just and fair protection under the law for manufacturedhome owners so they may experience the quiet, peaceful enjoyment of their community. GSMOL, Inc. reserves the right to exercise such discretion as it may deem appropriate in the selection of advertising material to be published in THE CALIFORNIAN. Advertising published in THE CALIFORNIAN does not constitute endorsement by GSMOL, Inc. of the products or services offered. THE CALIFORNIAN welcomes articles relating to mobile home lifestyles, but they are subject to editing based on space availability, style, good taste and importance and at the discretion of the Editor. Content in this publication may not be reprinted or used in any way without the written consent of GSMOL, Inc.

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See map on page 19 for Zone boundaries

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#### PRESIDENT'S REPORT

Jean Crowder, GSMOL State President

## **Holidays Behind Us...**

With the holidays behind us, the GSMOL Board of Directors has hit the floor running to bring a productive and prosperous New Year to your organization.

I want to start by thanking all our long-time members for being here and all the new members for coming aboard. Your loyalty and support are the drive behind our devoted volunteers—Board Members, Regional Managers, Associate Managers, Chapter Leaders, Committee members—all who work tirelessly to constantly improve our services.

One of the many results of that devotion and dedication is this magazine. We realize that we run late once in awhile in getting the publication to you as we are working to make it the biggest and best ever published; but, don't you have to admit it is worth the wait? Be guaranteed that we are striving to get it to you sooner but it will take a few more issues, while we work out the kinks in our production schedule to accomplish this. Bear with us, with the printer's and the postal service's cooperation, we will get there before this year is over.

You will soon see another example of the diligent commitment by our many volunteers when GSMOL's newly reconstructed website goes live. Like *The Californian*, it will have a brand new look and be much more informative AND much easier to access and maneuver. It will be a continual effort to keep you, our members, informed.

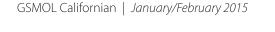
Added value to your membership will soon be available in the form of a benefit package which will include, but is not limited to, ways to save valuable dollars on dental, vision, identity theft, hearing service, pet insurance and long-term care insurance plans. Other discounted services will also be offered. You will receive a package in the mail shortly which will describe all the services offered. There will be no phone solicitation regarding this plan; all requests for information and/or services will be initiated by you to the company with which we have contracted. Watch for your package in the mail (it will come from GSMOL) sometime in February; information will also be available on our website and in this magazine.

In another attempt to provide better service, by mid-February you will be able to pay your membership dues by credit or debit card. We are waiting for the delivery of the equipment to make the service available through the corporate office and online. By the end of February, your Zone VP's and Regional and Associate Managers will be able to offer this service at meetings or other events. For those of you who prefer PayPal, it will remain available on our website.

On November 14th and 15th, GSMOL State Treasurer Diane McPherson and I had the extreme honor to attend the NMHOA (National Manufactured Home Owners Association) convention in Seattle, WA. We are fortunate to have the President of NMHOA, Tim Sheahan, serving on our Board of Directors. We met mobile home owners from all over the United States and heard many interesting speakers. What I found to be most interesting is that no matter how much geography separates us, we have mutual obstacles to face as residents in mobile home parks. California residents, with no exception, definitely have the best protection of our rights than in any other state represented among the other attendees. I urge each of you to go to www.nmhoa.com to check out the good work this organization is doing. Consider becoming a member, their annual dues are very reasonable. The work they are doing is commendable and deserves our support; residents in California should be very grateful to GSMOL for our legislative accomplishments over the past 53 years in building our Mobilehome Residency Law and our continued efforts to improve the protection of our rights. By supporting NMHOA you will be helping them help residents in other states achieve what we may take for granted.

Happy New Year to you all; may it be healthy and prosperous. Consider volunteering during 2015. Volunteers are needed in your park, your community and in the state organization. We have many committees which require input from all regions; if you are interested in serving your organization along with the dedicated volunteers who have given you all that you have read above, please email me and we can work together to find something that you will enjoy doing.

Rebuild, Renew and Restore is our Motto; honesty and transparency is our promise.



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## **Exemplary Park Owner**

Anne Anderson

Rancho Santa Barbara is this month's featured park, awarded an "Exemplary Park Owner Award" at last year's GSMOL Convention.

Rancho Santa Barbara is a 334-space, 55-andover park nestled in the foothills just outside Santa Barbara. The park is almost as old as GSMOL - residents celebrated the 50th anniversary in 2013 with a day-long festival, including a parade through the park.

Robert Rice, Jr. and other owners are members of the Rice, Parker and Howland families. They are what we could call "Mom and Pop" owners, in that they are all local families. The park was founded by Fess Parker and Fred Rice, and Rob Rice, our current managing owner, actually lives in the park. He and his partner, Stuart Clyde, have spent a lot of time and effort making our park a beautiful and enjoyable place in which to live. Our managers, Larry and Debbie Peebles, are examples of what a good park manager should be.

During the past two years the whole interior of our clubhouse has been redesigned to include attractive and comfortable areas to congregate, and the main hallway and small meeting room have been made into an art gallery where our resident artistic creations are displayed; we have several art shows each year to showcase their talents.

Rob and Stuart set up an organic gardening area next to the clubhouse, with raised garden-boxes that residents can adopt and plant veggies in. Our park also boasts a pool, spa, fitness center and 3-hole golf course, which gives us no excuse not to get some exercise!

We have a strong Homeowners' Association and a newly-reorganized Disaster Preparedness and Response Team, as well as a variety of clubs including Fiber Artists, Gardeners, Water Aerobics, Bridge, Pinochle, Golfing, Bible Study, Great Courses, and Opera. There's also activities like the "Out to Lunch Bunch", Tai Chi / Qi Gong, Yoga, and an active social event schedule with something going on every month - seasonal barbecues and dinners, musical programs and guest speakers. All these clubs and events are well-supported by Rob and our managers.

Our GSMOL Chapter 49 is almost as old as the park, and the secondoldest active chapter in the State. We are celebrating our 50th anniversary in February 2015 with a big party, to which we have invited GSMOL dignitaries and local



elected officials. We plan to honor our long-time members (14 residents have been in GSMOL 30 or more years, including one 40-year member) and former chapter officers.

Chapter 49 has a long history of participation in the fight for manufactured-home owners' rights, such as the battle to defeat Proposition 199 (the statewide anti-rent-control bill), the fight to protect our County's rent control ordinance from losing vacancy control following the Hall vs. City of Santa Barbara lawsuit, and the campaign to pass SB 510 which gave residents more of a voice in preventing "condo-conversion". Our members have campaigned to elect our local Assemblymember, State Senator and County Supervisor, all of whom have fostered legislation beneficial to manufactured-home owners. Our chapter was instrumental in the formation of SCAMPR (South County Alliance for Mobilehome Park Residents), an alliance of parks in the southern half of Santa Barbara County. In 2012, our chapter, along with residents of four other neighborhood parks and local GSMOL affiliate groups NSBMHT and SCAMPR, successfully worked for the adoption of a MHP Closure Conversion Ordinance for the unincorporated areas of Santa Barbara County.

Rancho Santa Barbara is an active community, with caring park owners who make it a wonderful place to live. Come visit!

Rancho Santa Barbara is an active community, with caring park owners who make it a wonderful place to live. Come visit!

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## **Zone Reports**

#### **ZONE A REPORT**

John Bertaut, Zone VP

Our First-Friday Conclaves have been successful in bringing together members from four counties. Education and training in various aspects of the MRL and Title 25 are included in each meeting and guest speakers provide added useful information attendees can take back to their respective Parks.

Membership-building, through the reactivationof-chapters process, has had a two-sided result which we plan to build on. Some chapters' reactivation consisted of merely filling a vacant board position and then reporting it to the Home Office in Cypress. Elections, installations and reactivation are part of that re-building process and those continue each month in the Zone.

The first meeting of our newly formed Rent Study Committee will take place in January. A dozen members from various parks in the area will take a look at the 5-10 year history of park rents in Sacramento County. Working with Bruce Stanton, our Corporate Counsel, we'll analyze results as they come together and, from there, decide what steps to take, next.

The first calendar quarter of 2015 will see officer training conducted, to include rudimentary practical knowledge and practice of Parliamentary Law, along with effective methods for conducting well-run, effective meetings. Our goal is to produce leaders who are better prepared to organize and conduct meetings, for the benefit of Chapters and members, alike.

With the able assistance of our Zone Consultant, Ms. Norma Bohannan (former Zone A VP), Zone A fields questions and concerns on a daily and weekly basis, from members and nonmembers within the Zone. We've made referrals to attorneys, state and county agencies and HCD, with some concerns being resolved to the satisfaction of all and some not. We're also working with the LAT committee and others in GSMOL as we continue our journey to improve the lifestyle of all mobilehome owners.

#### **ZONE A-1**

Karilee Shames

GSMOL-North held it's first Team Meeting on Sunday 1/11/15 in Petaluma CA, led by Ms. Terri Pohrman. Sandy Rombough, our office coordinator was present; a leader list was assembled.

Next GSMOL-North Team meeting will be held in San Jose in April.

Ms. Terri continues to help us develop zone leaders: Karilee Shames has been named Associate manager for Sebastopol, Petaluma & Cotati areas; Bob Neumann represents Sonoma; Dick Heine continues to work the Marin parks; Jerry Jackson works in the Napa Valley (and set up our new Facebook page); Gary Smith is working with San Jose Regional Manager, Diane McPherson also GSMOL Treasurer, in the Southern Area.

Newly activated chapters in the zone include Royal Oaks in Petaluma, and Lemon Tree Park & Casa Grande in Vacaville. Los Robles Mobilehome Park in Novato has reactivated their GSMOL chapter and installed new officers. A group of dedicated residents met several times with Associate Manager Dick Heine to plan the reactivation, which culminated with a meeting for residents on Saturday, September 27, 2014.

The Pueblo Serena Super Chapter will host SCMOA (Sonoma County Mobile-home Owners Association) meeting at Pueblo Serena Sat Feb 7, 1.30 pm.. A-1 Vice President Terri Pohrman established NorCal's first Spanish-language chapter of GSMOL in Sonoma Valley.

Board Member Robert Neumann (Rancho Vista) is a new Area Manager for GSMOL providing support and technical assistance to our members.

Board VP Gary Hermes (Rancho de Sonoma) is the new Chair of the Legislative Action Committee (LAC) for Sonoma Valley GSMOL. GSMOL leaders contributed advice for the homeowners of De Anza Moon Valley when they recently succeeded in reversing a pass-through rent increase.

See Zone Reports on page 6 >



A dozen

members from

various parks

in the area will

take a look at the

5-10 year history

of park rents

with Bruce

Corporate

Stanton, our

Counsel, we'll

analyze results

as they come

together and,

what steps to

take, next.

from there, decide

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in Sacramento

County. Working







#### **ZONE-B**

No Updates Reported

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

Craig Hull, Zone VP

**Welcomes New Associate Managers!** 

I would like to introduce two new Associate Managers for Regions 8 and 10 in my Zone B-1. The first is Cyndy Brockett, who lives in Valecito MHP in Newbury Park in Region 8. Cindi has been a GSMOL member since 2013 and lived in her park for 4 years. Valecito MHP used to have a very active chapter in the past and with the help of several other members, she plans to motivate residents to re-activate their chapter. Cindy will also be reaching out to the other parks in her geographical area both to help to educate them about their rights and to encourage additional GSMOL membership for her area.

Candi Walker lives in De Anza MHP in Santa Cruz. Candi is highly motivated to reach out to residents to help them and their parks. She will be working with John Mulhern, also an Associate Manager, to revitalize their county mobile home owners' group, SCCMMHA. Candi has a lot of energy and good ideas. We know both she and Cindi will do a great job for their regions!!

#### **Zone C Report**

Ray Downing, Zone VP

We have been especially busy in Zone C these last two months. In November, we activated one new chapter and reactivated five chapters, along with establishing their HOA's. Our plans for January and February are to reactivate three more chapters.

The homeowners we have met are so grateful for the opportunity to learn about their rights, and for the knowledge that there is a statewide powerful organization behind them... monitoring and proposing laws to further protect their quality of life. The enthusiasm is spontaneous in these groups. They are the power. Much of our success is due to our willingness to keep in touch with each chapter, and our continued commitment to mentor the chapter leaders.

We also held two successful MRL Road Shows in November with Bruce Stanton, Henry Heater and Carl Leivo as our presenters. One Road Show was held at the Ramona Villa MHP in Rancho Cucamonga (San Bernardino County, Region 6), and the other was at the Woman's Club in San Juan Capistrano (Orange County, Region 5). Most of the attendees were leaders in their parks. Following the Road Shows, we received numerous phone calls and emails praising Bruce, Henry, and Carl for their ability to reach out to the people and answer so many important questions.

We are currently assisting the Ebb Tide Mobile Home Park in Newport Beach with their fight to receive "in place" value for their homes rather than the meager \$25,000 offered by the park owner upon closure of their park. The homes should be worth between \$70,000 and \$112,000. Through persistence, we believe these homeowners can prevail. The city of Newport Beach does not have a Mobilehome Park Conversion Ordinance to protect them, and the park owner's Resident Impact Report is lacking in many areas. The Ebb Tide HOA/GSMOL Board has been negotiating, and the park owner is gradually moving up his offer. Meanwhile, the HOA/GSMOL Board and GSMOL managers will be working with the city planners and approaching the City Council in January to push for revision of the Resident Impact Report.

#### **Zone D Report**

Tim Sheahan, Zone VP

Rent Ordinances Continue to be Threatened

In this era of lost redevelopment money and tight budgets, the City of San Marcos is yet another jurisdiction seeking alternatives to enforcement of its Rent Stabilization Ordinance (RSO) for manufactured home communities. While the RSO was adopted by a vote of the people and could only be changed by a subsequent public vote, the City is expecting homeowners to accept a long-term lease agreement that would not be subject to the RSO. Similar agreements have been accomplished in other cities, including neighboring Vista, Ca, but reaching consensus has proven to be no easy task. Homeowner representatives have

See Zone Reports on page 13 ➤

The homeowners we have met are so grateful for the opportunity to learn about their rights, and for the knowledge that there is a statewide powerful organization behind them...



by: Ron Javor

## Are You Sure You Own Your Home?

Regardless of your circumstance, it is important to take the time now to check to see if the title is in your name and how you own it with another person.

Many homeowners don't really own their manufactured homes! Thousands—if not tens of thousands—of mobilehomes are occupied by families who thought they properly purchased them but, in fact, the homes never have been registered in their names. This problem has arisen out of many circumstances: 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. This article will deal with various facets of titling problems, what to look for, and how to deal with the problem. Regardless of your circumstance, it is important to take the time now to check to see if the title is in your name and how you own it with another person. These questions become critical when you want to sell your home, whether someone else can sell it without your permission, or who will receive it on your death. It also is important if you want to purchase homeowners insurance, to receive an HCD permit for repairs to your home, and to not accrue hundreds or thousands of dollars in back fees, penalties, and interest.

#### THE PROBLEMS OF A FLAWED TITLE

Many homeowners discover the problem of flawed title when they are ready to sell or transfer ownership of their home. If a home is not properly registered in the owner's name,

transfer of title and legitimate sale to a new buyer cannot occur because the seller will be unable to transfer title ownership into another name. If the home is not in the owner's name at all, title transfer is difficult, if not impossible, and more costly; also, the sales price will be less since the seller cannot transfer valid title. Similarly, problems arise when attempting to share title with a spouse or other family member and when attempting to pass the property through inheritance.

In addition, titling problems often result in unpaid, annually accruing fees and taxes, 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. Also, certain safety upgrades such as smoke and CO alarms and strapped water heaters were required before an official transfer, and you may have to install them now.

Titling problems can also make it difficult for owners to make much-needed repairs. If faced with a leaky roof or an electrical outage that requires the owner to obtain a replacement or major repair, only the registered owner can obtain a permit to major work. The owner is left with three unattractive choices: do not repair, illegally repair without a permit (and suffer the possibility of a lease violation and/or shoddy, uninspected work), or begin the lengthy process of obtaining legitimate ownership and pay back fees.

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!

#### **GETTING TITLE FIXED**

What can a person do to ensure that this problem does not exist or arise?

First, it is important that owners know that HCD (Department of Housing and Community Development) is the agency responsible for mobilehome titling and registration. HCD's

See OWN YOUR HOME? on page 8 ➤

who may not have title in their name, and may also owe outstanding taxes or fees as a result. In order to spread the word about this problem and potential solutions that will come from our legislation, we have created a flyer that you can reproduce and

share with your neighbors. Help us

spread the word and help protect

homeowners. See page 9.

GSMOL will be sponsoring legislation

this year to help protect homeowners

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Registration and Titling Program (R&T) 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.

When you acquired your manufactured home, you should have received the following "transfer documents" from HCD: a title certificate, registration card, and Notice of Sale and Transfer. If you acquired from anyone other than an HCD-licensed mobilehome dealer, or you are not paying annual fees or taxes, it is possible that there is impaired proof of ownership. However, even if all title transfer documents were completed and filed properly, you may have title problems because of subsequent changes in your life (e.g., marriage, divorce, or death) or legal status of your estate (you've created a living will/trust or made an informal interfamily transfer).

To check for problems, the first two steps are to find out both who owns your home, and how the ownership is registered. The R&T Call Center, at 800-952-8356, can provide you information on the phone whether you are the listed registered owner; if you are not, you must pay \$25 for a title search to find out who the owner is. You should have your decal number(s)—the HCD tag affixed to your home that has numbers beginning with the letter "A" or "L" or the DMV license number or your address when you call. The "who" also may include a "legal owner", a company who loaned money to a prior owner but didn't file papers with HCD that the loan was paid off; that company's approval will be necessary before title can be transferred into your name.

The "how" ownership is listed also is critical: A common problem is that either from the time of sale or transfer, or due to changed circumstances, the named "owner" and how the owner is named, is not correct. Some common problems are that a spouse cannot keep the home if the registered owner dies, or can sell even if a registered owned doesn't want to. If you create a trust, the home should be included in the trust or else it doesn't transfer to beneficiaries. More information is available on forms listed in each category, found under "R&T Public Use Forms" at http://www/codes/rt/.

The two most common title actions are "correcting a mistake" or "transferring title".

To correct a mistake (spelling of name, new married name, change "and" to "or" in a tenancy in common), use the "Statement of Facts" form (R&T Form # 476.6) or the Name Statement form (R&T Form # 475.7). In order to add, eliminate, or change one or more owners (in the event of marriage, death, adding a relative, or a sale), the transfer forms and process must be used. This involves changing the original transfer documents you received. If you can't find yours, the process for obtaining duplicate title and registration is simple, with a small fee, if you are the registered owner.

These transactions may be easy or complicated. The R&T Call Center staff are available at 1-800-9522-8356 to help answer questions or to refer you to the nearest R&T office, and multiple languages including Spanish, some Philippine dialects, Vietnamese, and Italian are available. Remember too that fees and possible back payments of fees and penalties may be necessary to complete whatever transaction is being sought. On the other hand, this cost and effort will be far less and easier now than the threat of eviction or the costs of attorneys or the headaches of recipients of a home after you sell, die, or otherwise voluntarily or involuntary transfer what you thought was your home. If you think you were defrauded or bought a defective home, assistance and information can be obtained through the Mobilehome Ombudsman by calling (916) 323-9801 or (800) 952-5275 or via e-mail at ombudsman@hcd.ca.gov.

Now, preach this gospel! 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.

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.

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# You own your home?



A significant number of mobilehomes in California have been transferred without the proper paperwork being filed. You may be accruing penalties and interest; in addition, this could affect your ability to sell or repair your home in the future.

If you purchased a mobilehome but did not receive an official Certificate of Title from the California Department of Housing & Community Development (HCD), you may not legally own your home.

There are steps you can take to remedy this situation and obtain an official title.

What to do to make sure you own your home in your name:

Call HCD at 800.952.8356. They can tell you whether your name appears on their records.





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If it doesn't, you can pay \$25 for a title search to learn who is listed as the registered owner. HCD can also advise you of the additional steps and costs involved to put title in your name.

If you have further questions or concerns about how to proceed, contact GSMOL at

titleproblems@gsmol.org or call 1-800-888-1727



## Clubhouse Use and Availability: "Whose 'Living Room' Is It Anyway?" Part II

by: Bruce Stanton and William Schweinfurth

#### PROTECTED CLUBHOUSE MEETINGS

From Bill Schweinfurth: Residents may wish to hold meetings to inform other residents about issues that may not be in the best interest of the park owner, such as where a non-resident GSMOL leader will speak about the perceived benefits of rent control. When asked about the availability of the clubhouse for such a meeting, the manager panics and calls the park owner. The park owner's knee jerk response might be: "Are you kidding? No way!"

While such a response might be natural or expected reaction, it is not proper. The MRL explicitly permits residents to meet—in the clubhouse—for any lawful purpose, including to discuss mobilehome living or for social or educational purposes. Civil Code sections 798.50 and 798.51 (a) state a clear legislative intent to protect the right of mobilehome park residents to "peacefully assemble and freely communicate with one another", both with respect to "mobilehome living or for social or educational purposes". A discussion of rent control would clearly fall into this category.[1] Of course, a park resident must sponsor the event, invite the speaker and all park residents, and be present. Non-residents cannot reserve the clubhouse for their own purposes.

Denying clubhouse use to residents who may oppose the interests of management also smacks of censorship and denial of first amendment rights. Such action certainly won't endear the park owner to residents and won't win any friends. Residents will find a way to communicate with each other—with or without the clubhouse—so the wise park owner will not improperly stand in the way of lawful and MRL-sanctioned clubhouse uses by residents. [2] Indeed, the free flow of ideas and expressions is one of the bedrocks of our nation and inevitably leads to a more informed electorate and better policies. Park owners opposed to rent control should not muzzle debate but rather join it with their own arguments for policies and practices which they believe are more beneficial to all concerned. Let freely expressed ideas prevail over dark and empty clubhouses.

#### **RESERVING USAGE**

It is reasonable for management to require that an advance reservation be made by the resident or organization wishing to host an event. More than one use at the same time would cause chaos, and the park owner is entitled to plan ahead for useage, just as residents want to ensure that their intended event is reserved. But the reservation requirement cannot be so onerous that it has a chilling effect upon the ability to use the clubhouse. A park rule requiring a one year notice of any intended usage would likely be "unreasonable" and unenforceable. An advance notice of 90 days or less is probably "reasonable". Management cannot deny protected meeting rights by alleging that the clubhouse is already reserved or unavailable. Such a tactic would amount to a calculated attempt to deny protected usage based upon alleged unavailability.

#### MRL FEES/INSURANCE REQUIREMENTS

Can a park owner charge a fee to use the clubhouse, or require insurance or deposits? Civil Code 798.51(b) states that no cleaning deposit can be charged to use the clubhouse for any of the informational meetings or rights of assembly described in sections 798.50 or 798.51, as long as a resident is hosting the meeting and all park residents are allowed to attend. This would include GSMOL or HOA meetings. In addition, 798.51(c) states that no liability insurance can be required for such uses. The lone exception is where alcoholic beverages are to be served; in that case the park owner can require an insurance binder or prohibit same. Although a park could not charge fees for homeowner meetings as described above, if a homeowner reserves the clubhouse for a private function, such as a family party or wedding reception, to which all park residents are not invited, the park can charge a fee or monetary deposit and require that the resident hosting the event provides insurance coverage for the event.

See CLUB HOUSE USE on page 17 ➤



**II** EDITOR'S NOTE

Last month we published Part I of this article, jointly written by GSMOL's Bruce Stanton and WMA's William Schweinfurth. The series continues here with part II, exploring some common issues that arise between management and residents over the use of clubhouses.

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Californian NL\_IssueOL.indd 10



by: Anne Anderson

### What's Your Park's Disaster Plan?

Some parks
are particularly
vulnerable to
wildfires, others
to tsunamis
or flooding;
parks near the
freeway could be
evacuated due
to hazardous
material spills;
and we are all
vulnerable to
earthquakes.

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It's a state law that all parks must have an Emergency Response plan on file with HCD in order for the owner to renew their license to operate each year. But what kind of plan did your owner or manager file? Is it just something they downloaded off the internet and sent in without really making any plans about how they would implement it if necessary?

Residents should investigate and determine whether the plan for the park is adequate, and form a Disaster Prevention and Response (DPR) Team to improve the plan if needed.

In general, your park should have a plan in which:

- Resident volunteers act as team leaders to implement the plan
- Team leaders have knowledge of residents with special needs and residents who have skills that would be useful in a disaster (doctor, nurse, firefighter, construction worker, etc.)
- All residents are made aware of what they should do in the event of a disaster – how to be prepared for evacuation or being trapped in their home, who is the team leader responsible for them in a disaster, and how they can assist their neighbors with special needs.

Your DPR Team should expand upon the park's plan in any way that is appropriate for your park and the kinds of disasters you are likely to face. Some parks are particularly vulnerable to wildfires, others to tsunamis or flooding; parks near the freeway could be evacuated due to hazardous material spills; and we are all vulnerable to earthquakes. Some of the ideas that can be considered are:

- Dividing the park into sections or "blocks" and having one person in each block who is responsible for being the "point person" in the event of a disaster;
- Keeping stockpiles of emergency supplies in a location where they can be easily accessed;
- Having some kind of sign that a resident can place in the front window that lets DPR Team members and emergency responders know that they are OK;

- Sending a group of your residents to CERT (Community Emergency Response Team) training (check with your Fire Department to find out about classes);
- Holding yearly disaster drills in the park so that you can practice your plan (many Fire Departments will work with your residents to do this).

GSMOL has a model park plan on the website at http://gsmol.org/files/resources/EMERGENCY%20 PLAN%20COMPLETE.pdf

This model plan is very comprehensive. Residents should adapt the plan to fit their park and its needs.

Besides having an overall plan for the park, your DPR Team should encourage your residents to develop an individual plan for their household, which could include:

- Keeping a Vial of Life box on their refrigerator;
- Assembling an escape kit or backpack that is ready to go with whatever they would need to live away from home for up to a week, in case of evacuation;
- Assembling supplies that they would need if they were to be trapped in their home for several days;
- Making special plans for children, pets, and family members with special needs;

Check out the Red Cross's household plans here:

http://www.redcross.org/prepare/location/home-family

Even residents who are hard to motivate to participate in most things will generally get on board when their lives and property are at stake. In the event of a major disaster, it could be quite awhile before emergency responders are able to get to your park. You will need to depend upon your DPR Team to do what they can to help your residents in the meantime.

Your HOA and GSMOL Chapter should work together to support the formation of a DPR Team in your park. If you need assistance, your nearest GSMOL leader can work with you and your residents to develop your plan.







## **How to Get Help from GSMOL When Questions or Problems Arise**

### GSMOL's Protocol for Seeking Legal Assistance

#### **INTRODUCTORY NOTE:**

Increasingly, members are contacting GSMOL's corporate counsel directly seeking legal advice. We understand that members have important questions and want advice. But GSMOL cannot provide the level of attorney advice which is often demanded, nor can effective advice be provided via a quick phone call with the corporate counsel unless the issue is very basic. Members should thus follow this protocol established for all GSMOL leaders when seeking advice or guidance on an issue in their park:

- 1. Contact your Regional Manager: A list of regional managers for your zone and region is available in *The Californian* (see page 18). Your regional manager is trained to help answer common questions and resolve routine issues. When a question is received from a member, the Regional Leader should first consult training materials or resources such as Manuals or Californian articles, or consult with other leaders about the question or issue presented. That information should be used to respond to the question or refer the member to a specific resource. If the leader is uncertain of the answer after consulting these materials, he or she will consult with the next highest leader for assistance, continuing on to the Zone Vice President if necessary.
- 2. Referral to Zone Vice President- If a question or issue cannot be resolved by the Regional Leader and is ultimately referred to the Zone Vice President, the Regional Leader should prepare a summary of the situation, providing as many details and supporting documents as possible and contact the Zone Vice President to discuss. The Zone Vice President may then consult directly with the Corporate Counsel about the issue, or provide written permission for the Corporate Counsel to contact the Member or Chapter directly. But the Zone Vice President's permission must be given before any direct communication with the Corporate Counsel occurs.

- 3. Zone Vice President initiates contact If the Zone VP believes that a consultation with the Corporate Counsel may be useful, the Zone VP initiates contact with the Corporate Counsel for that purpose. There may be a conference call, or the Corporate Counsel might instead initiate contact directly to the Member or Chapter if the materials forwarded to him are not complete or further detail is required.
- 4. Initial action by GSMOL- Any action taken by the Corporate Counsel pursuant to this initial contact is done on GSMOL time. This includes phone calls or preparing an initial demand letter to solve the problem. This is a service provided for the benefit of GSMOL Members. But if the initial efforts are not successful, and potential litigation is required, the matter must transition to a private attorney-client relationship.
- 5. Private Retention of Corporate Counsel-Members should be aware that GSMOL membership does not entitle them to legal representation by GSMOL. If initial efforts at resolution are unsuccessful, or the problem is of a more complex legal nature, members seeking additional legal assistance must either retain GSMOL's corporate counsel privately (at their own expense) or seek other legal representation.
- 6. GSMOL Financial Assistance- In some very limited instances, GSMOL's legal fund may help defray the costs of legal representation. Where the Corporate Counsel or any attorney is retained, and the Member(s) desire financial assistance from GSMOL to help fund representation, the established procedures for requesting legal assistance via a grant or loan would then be followed.

11 We understand that members have important *questions* and want advice.







Some park owners continue to push for huge rent increases when homes are sold, which will likely be the deal-breaker.

been involved in negotiations with park owner representatives for over a year to see if viable solution can be reached. As they say, "the devil is in the details" and time will tell whether an acceptable compromise will be accomplished. Some park owners continue to push for huge rent increases when homes are sold, which will likely be the deal-breaker.

Even though local governments are facing challenging times trying to balance their books, it's important for them to understand the value of rent ordinances and especially how any money saved by homeowners is money that will likely be spent locally for goods and services rather than escaping the area in the form of windfall profits for out-of-town park owners. And, those rent savings are not just a one-time benefit; money spent locally will likely cycle through the local economy time and time again, increasing profits for local businesses, bolstering employment and generating extra sales tax revenue. It's also important for city and county officials to consider how, by preserving home values, rent ordinances enhance annual property tax revenue on newer homes and sales tax revenue when older homes, not on the property tax rolls, are sold. It has been estimated that for every \$100/month lot rent is increased, home value drops by \$10,000, which is extra validation for why local governments should support rent ordinances in order to help keep home values higher.

With the growing trend of park owners and their attorneys threatening to sue cities with RSOs into submission, it's never been more important for us to demonstrate the value of these ordinances. They should be seen as civic assets, not fiscal burdens. Calculating an estimated value of an ordinance or the "opportunity cost" of not having an ordinance can reveal some remarkable findings. For example, I calculated that if the San Marcos RSO saved each homeowner an average of \$100 per month over the life of the ordinance, an extra \$140 million has stayed in the hands of homeowners, not to mention the added property tax benefit to the city. How much has your own RSO cumulatively saved homeowners, or if you don't have an ordinance, how much have homeowners cumulatively lost through the years?

While the costs of preserving rent ordinances can indeed be significant because of frivolous lawsuits and the costs of hiring expert witnesses and attorneys, the impact of caving to the threats of litigation by allowing unjustified rent increases can be far more costly to homeowners, local businesses and local municipalities. We are facing an "ENRONIZATION" of our industry and just as the actions of ENRON was a stark reminder of the need for rate regulation of utilities, abusive and opportunistic park owners in many areas trigger a need for rent regulation of our communities. RSOs are not only a morally justified form of consumer protection; they are an economically justified form of civic protection!



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## Attention Chapter Leaders: We Need Your Email Address!

Don't miss out on important communications from GSMOL. In order to streamline our communication with chapters and their members we are encouraging every chapter to provide an email address for at least one chapter officer.

We will only use this for official GSMOL communications. If we don't yet have an email address for at least one officer in your chapter, send it to our membership co-chair Anne Anderson at a.bushnell.anderson@gmail.com.

As always, you can call the home office at 1-800-888-1727.









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## De Anza's Final Chapter?

If A decade long legal battle between homeowners of De Anza Cove MHP and the City of San Diego appears to be nearing resolution, with a \$32 million settlement reached in December.

A decade long legal battle between homeowners of De Anza Cove MHP and the City of San Diego appears to be nearing resolution, with a \$32 million settlement reached in December. This once idyllic Mission Bay waterfront community owned by the City of San Diego has long been a hotbed of contention, largely due to the shameful way the City treated homeowners dating back to the 1980s.

Here is a short summary of the saga, according to some of the homeowners:

This 76-acre community was established in the 1950's adjacent to a public campground facility. The legality of the manufactured home community on public tidelands came into dispute in 1978 and led to the City pressuring homeowners to sign leases in the early 1980s, which included a stipulation that required homeowners to remove their homes by 2003. Virtually everyone signed the leases in order to escape threatened huge rent increases, with assurances from the City that it would identify a suitable property to relocate the homes.

Oddly, the City continued to allow homes at De Anza to be sold almost until 2003, when they demanded all homeowners to move their homes off the property, in accordance with the leases. The City declared it didn't have to follow State and City relocation/compensation laws and only offered between \$4,000 and \$8,000 per homeowner if they voluntarily moved before the deadline AND restored their lots to pristine condition. Several homeowners did vacate

the community but the majority stayed and filed a lawsuit against the City to help ensure fair compensation for homeowners. The City retaliated by hiring Orange County property management company, Hawkeye Asset Management, to essentially make life miserable for homeowners and treat the community more like an internment camp than a manufactured home community. The conditions proved so oppressive that homeowners sued and ultimately settled for \$3.6 Million due to the treatment by Hawkeye and other operatives for the City.

The December settlement will provide an average of \$77,000 for each of the roughly 300 homeowners who remained in the lawsuit and will consequently have to leave within the next 12 months. Nearly 100 others who dropped out early might still take action seeking similar compensation. While those compensation amounts are generally far less than homeowners actually paid for their homes, it is a far cry from what the City had originally offered, plus the lawsuit provided an extra 10 years of residency in the community. Although some residents were disappointed GSMOL didn't have the legal resources to represent them in court, they all benefitted by GSMOL achieving those laws that greatly strengthened their case against the City. The San Diego law firm of Tatro and Zamoyski should be commended on its professionalism and resolve in representing the homeowners through this long and turbulent saga. Ultimately, credit goes to the homeowners for their determination in standing up for what was fair and just.

#### STAY UP-TO-DATE ON GSMOL'S WORK IN THE CAPITOL

Join the GSMOL Email Alerts. Get timely updates on legislation and how you can help GSMOL build support for legislation.

To sign up, go to GSMOL.org, under News and Updates and follow the link.



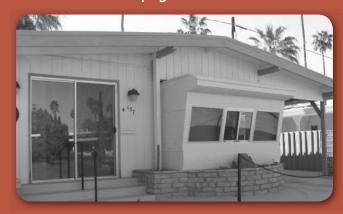


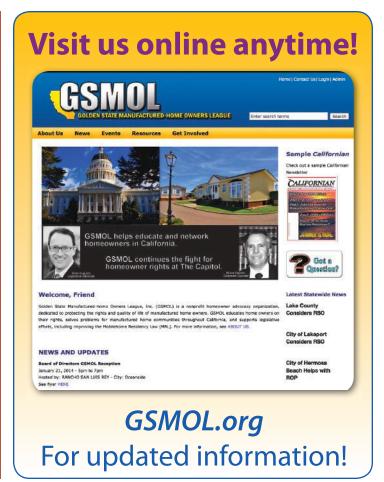




## You own your home?

**GSMOL** will be sponsoring legislation this year to help protect homeowners who may not have title in their name, and may also owe outstanding taxes or fees as a result. In order to spread the word about this problem and potential solutions that will come from our legislation, we have created a flyer that you can reproduce and share with your neighbors. Help us spread the word and help protect homeowners. See page 9.













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 Because a private party implies private control over the clubhouse during the event, residents also should not object to a requirement to provide evidence of insurance to cover liability for damages or injuries that could occur.

#### **PRIVATE PARTIES OR USES**

From Bill Schweinfurth: It's great to see a fully decorated clubhouse as the venue for 50th wedding anniversary celebration or a Happy Birthday party. In many parks, management allows residents to reserve the clubhouse for private parties or events. This is a fantastic benefit, as such venues may not be available in the local area, or nearly as nice. If available, other venues—typically a hotel ballroom—will cost a small fortune to rent. To rent a facility as nice as a Vedder Community clubhouse in Ventura County would require payment of \$2,000-\$5,000, the additional expense of having to purchase food and drink from the hotel instead of bringing one's own, and the further cost to provide a \$1,000,000 liability insurance policy. The ability to reserve the clubhouse is thus very valuable, and a using a rented facility is not nearly as convenient.

Given the value of being able to use the clubhouse for a private event, residents should not oppose reasonable rules and regulations governing such use. Private uses should be

scheduled so that they do not take precedence over use by all residents. Park owners are justified in requesting a reasonable cleaning deposit so that residents have an incentive to clean up after the event and not leave that task for park employees. Because a private party implies private control over the clubhouse during the event, residents also should not object to a requirement to provide evidence of insurance to cover liability for damages or injuries that could occur. Finally, for events involving numerous non-residents, requiring that the reserving resident hire security or monitor parking or behavior is also appropriate.

From Bill Schweinfurth: We typically require a cleaning deposit of \$100 to \$200 (fully refundable if the facility is left clean); evidence of adequate insurance; and we limit the area that can be reserved to the main part of the clubhouse and kitchen. We do not allow swimming pool areas to be reserved. Making the clubhouse available for private events has almost always worked fine. Residents love this added "amenity" and many special private events have been held in our clubhouses over the years.



## **GSMOL** Board of DIVIUL Directors Quarterly SERVING HOMEOWNERS SINCE 1962 **Meeting Highlights**

### Rancho San Luis Rey MHP 200 N. El Camino Real, Oceanside January 22, 2015

- Interactive Board Workshops big success!
- Many kudos to Californian Editorial Committee
- Overview of GSMOL's 3-bill legislative package
- New GSMOL Website coming soon!
- WMA-GSMOL Committee decide on several more joint articles for 2015
- Board votes to approve new Member Value-Added Program (EJS Insurance Services)

Next Quarterly Board Meeting • April 23rd – 9:30-3 • Sacramento, Check the next California for location and other details







## GSMOL "Who's Who" • Leaders in Your Area - Refer to Map on Page 19 for Zones and Regions

#### **ZONE A**

#### **REGION 4**

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

#### **REGION MANAGER**

Anne Rucker

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

#### **REGION 11**

COUNTIES: Amador, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas and Sierra (Vacant)

#### **REGION 14**

COUNTIES: Colusa, Sutter, Sacramento, Yolo and Yuba

#### ASSOCIATE MANAGER Norma Bohannan

351 Notre Dame Dr. Apt. 21 Sacramento, CA 95826 Phone: (916) 388-2427 gsmolnorma@yahoo.com

#### **ZONE A-1**

#### **REGION 1**

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

#### **ASSOCIATE MANAGER** Gary C. Smith

390 Mill Pond Dr. San Jose, CA 95125 Phone: (408) 975-0950 garyslighthouse@sbcglobal.net

#### **REGION 2**

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

#### **REGION MANAGER** Diane McPherson

83 Sequoia Circle Santa Rosa, CA 95401 Phone: (707) 573-0410

deemcph42@hotmail.com

#### **ASSISTANT MANAGER Richard Heine**

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#### ASSOCIATE MANAGERS

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#### **Karilee Shames**

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#### Jerry Jackson

2412 Foothill Blvd. # 130 Calistoga, CA 94515 Phone: (707)341-3324 yawaraman@sbcqlobal.net

#### **ZONE B**

#### **REGION 12**

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

#### REGION MANAGER

Jean Crowder

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

#### ASSOCIATE MANAGER **Debra Hulsey**

720 E. Worth Ave #221 Porterville, CA 93257 Phone: (559) 784-4986

#### **REGION 13**

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

#### **REGION MANAGER** Linda Larsen

6706 Tam O'Shanter Dr. #114 Stockton, CA 95210 Phone: (209) 473-3226 linda4947@att.net

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

#### **REGION 8**

COUNTIES: San Luis Obispo, Santa Barbara and Ventura

#### **REGION MANAGER**

**Marie Pounders** 

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

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#### Joan Harper

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#### **ASSOCIATE MANAGER**

Ventura County

#### Jill Martinez

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#### **ASSOCIATE MANAGER** Cyndi Brockett

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#### **ASSOCIATE MANAGER**

South Santa Barbara County

#### Anne B. Anderson 333 Old Mill Rd. #161 Santa Barbara, CA 93110 Phone: (805) 895-8319

a.bushnellanderson@gmail.com

#### **REGION 10**

COUNTIES: Monterey, San Benito and Santa Cruz

#### **REGION MANAGER** Richard Halterman

1099 38th Ave. #16 Santa Cruz, CA 95062 Phone: (831) 476-0337

#### ASSOCIATE MANAGERS **Patricia Cramer**

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#### **Carole Harris**

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#### John Mulhern

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#### Candi Walker

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#### **ZONE C**

#### **REGION 3**

Los Angeles County

#### **REGION MANAGER Edward Souza**

17350 E. Temple Ave. #466 La Puente, CA 91744 Phone: (626) 506-4303 covinahillsqsmol@yahoo.com

#### **ASSOCIATE MANAGER** Chuck Lorina

8250 Lankershim Blvd., Olive 7 North Hollywood, CA 91605 Phone: (818) 768-6257 chuckloring@dslextreme.com

#### Martha Vazquez

17350 E. Temple Ave. #379 La Puente, CA 91744 Phone: (626) 965-3454 vmarqsmol@yahoo.com

#### **REGION 5**

**Orange County** 

#### **REGION MANAGERS** Mary Jo Baretich

21752 Pacific Coast Hwy #23A Huntington Beach, CA 92646 Phone: (714) 960-9507 mjbaretich@hotmail.com

#### **ASSOCIATE MANAGERS** Nancy Agostini

21752 Pacific Coast Hwy #2A Huntington Beach, CA 92646 Phone: (714) 625-3321

#### **Kathy Downing**

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#### Janet Offhaus

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#### **Ginger Roberts**

1973 Newport Blvd. #55 Costa Mesa, CA 92627 Phone: (949) 533-1075 gngroberts@gmail.com

#### **REGION 6**

San Bernardino County

#### **REGION MANAGER**

Carl Laughman

9800 Baseline Rd #7 Rancho Cucamonga, CA 91730 Phone: (909) 980-3484 Kallkarl43@netzero.net

#### ASSOCIATE MANAGER

Joseph Diaz

4400 Philadelphia St. #123 Chino, CA 91710 Phone: (909) 591-9973 Joseph68diaz@yahoo.com

#### **ZONE D**

#### **REGION 7**

COUNTIES: San Diego and Imperial

#### **REGION MANAGER**

Frankie Bruce

10771 Black Mtn. Rd. # 100 San Diego, CA 92126 Phone: (858) 335-8885 francesbruce@att.net

#### ASSOCIATE MANAGERS

Victor Roy

200 N. Camino Real #422 Oceanside, CA 92058 Phone: (760) 439-0069 victoryawaitsyou2@hotmail.com

#### Karen Bisignano

PO Box 712022 Santee, CA 92072 Phone: (619) 448-9404 smoac@juno.com

#### **REGION 9**

Riverside County

#### **ASSOCIATE MANAGER** Ron Wunsch 1044 Via Grande

Cathedral City, CA 92234 Phone: (760)328-0688 rwunsch@dc.rr.com

#### Robert Snyder

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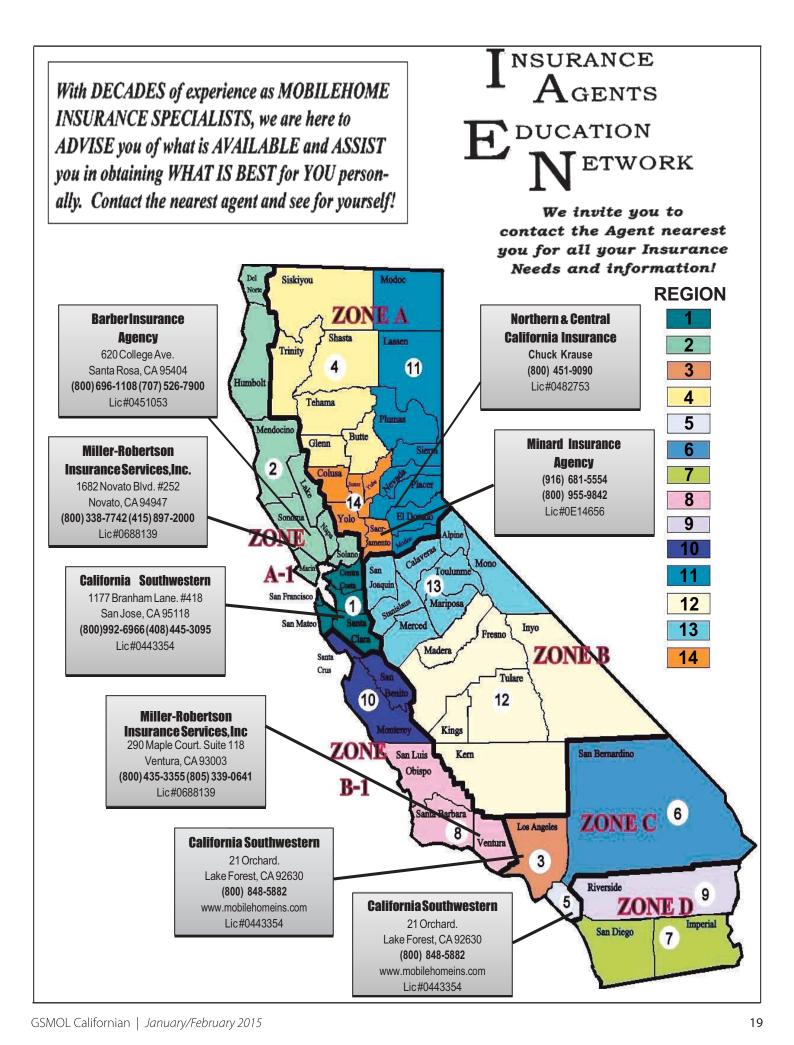
516 Cerritos Way Cathedral City, CA 92234 Phone: (760) 321-1983 rdsnyder@twc.com



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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.)

NEW MEMBERS' NAMES	PARK NAME	SPACE NO.	MONTH AND YEAR JOINED
	Address		
(Note: If the reward is going to a chapter's treasury ar The officer can then cash the check and put the mon	nd the chapter does not have a bank account, the check sl ey into the chapter treasury.)	hould be made out to an	d mailed to a chapter officer.

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Street Address	Space #	Check # / CASH	
	State Zip	You can also contribute to any of the following GSMOL dedicated fund	
Day Phone	Alternate #	Legal Defense Fund \$	
Email Address		Disaster Relief Fund \$	
3ignature	Membership Recruiter (if Applicable) HIS FORM ALONG WITH YOUR CHECK TO GSMOL, 6101 B		Form 100

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