

THE CALIFORNIAN

GOLDEN STATE MANUFACTURED-HOME
OWNERS LEAGUE

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**Dog
Days of
Summer are
on the Way!**

Inside This Issue:

3

► Focus on
The Future

4

► Capitol
Report

5

► GSMOL -
Elections are
Coming!

7

► Some Thoughts
on Buying and
Operating Your Park

10

► Zone
Reports

What are those extra numbers on the address label?

(MEMBERSHIP #) (EXPIRATION DATE M/Y)

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JOHN DOE
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THE CALIFORNIAN
GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE

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

GSMOL enhances the quality of life for all manufactured-home 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 manufactured-home 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 mobilehome 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

Focus on the Future

Is this your first issue of *The Californian*? If so, we want to welcome you to the GSMOL family. Please take the time to read it from cover to cover. Some of the articles are prepared by experts in different fields related to manufactured home living, others by GSMOL volunteers who have chosen to dedicate their time to educate other manufactured home park residents of their rights according to the California Mobilehome Residency Law (MRL) and to help them stand up for those rights, all interesting articles devoted to your unique situation, owning your home but not the land it sits on.

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

Golden State Manufactured Homeowners League, Inc. (GSMOL) is a non-profit organization which operates on your membership dues and donations. The power behind what we do in the way of service to our members is our volunteers. Your Board of Directors (BOD) consists of volunteers elected by the members. You

can find a list of the Directors later in this issue. Zone VP's comprise one-half of the BOD; these dedicated volunteer leaders are in charge of the 6 zones that are shown on the map you will also find. These Zone leaders depend on other volunteers within the zones: Region Managers and Associate Managers. You will find these very important volunteers on the Who's Who page. There you will find the counties where each Region and Associate Manager works. Within these regions, there are MH parks that have GSMOL chapters at several parks that have been formed as Super Chapters. These chapters consist of volunteer leaders who live in the park. Many of the volunteers wear several hats. Many of the Directors also are Region Managers, chapter officers, or both. Several of the Directors are chairpersons of one or more of the many GSMOL committees. These committees consist of volunteers who may only serve on a committee, but in most cases, also serve at the regional or chapter level.

In addition to our dedicated volunteers, our organization depends on our corporate attorney whose expertise is mobile home residency law; our legislative activist who is constantly at work in the State Capitol on behalf of our organization, which ultimately benefits all residents in mobile home parks throughout the state; and our dedicated staff in the corporate office.

Although these people are paid, we couldn't afford them if they were paid their worth to the members of our organization.

I know those of you who have been devoted members have heard all of the above many, many times. BUT, it is as important that you hear it again as it is for new members to understand. It is important for you all to know and remember that, as an organization, our members are the core of our existence; and the work we do in our members' behalf could not be accomplished without the hard work and dedication of our many, many volunteers. You might want to ask how you can help!

Later in this issue, you will read about the state legislation activity that is going on this year. I want to thank our LAT (Legislative Action Team) and all the many members who have answered the call to action by writing letters and making phone calls. You will see what has been accomplished so far when you read the report. The work that our LAT does is to be congratulated. But it is the letters and the phone calls that make the difference. We still have a lot of work to do. It is important that our members stay informed and act when asked. If you haven't been contacted and asked to help, please be sure we have an email address for you. You can follow the bills we are either sponsoring or supporting by going to our website gsmol.org. The Legislature tab will lead you to the information. You can also subscribe to our email bulletin "This Week at the Capitol." **A special thanks to Assemblyman Mark Stone, our Champion on Bill AB1269.**

Can you believe that we are already planning our next convention? Less than a year away, this event will be held in April, 2018, in Southern California. Details will appear in future issues. This promises to be the biggest and the best convention ever! Because of the newly passed One Member, One Vote (OMOV), election of officers will be done by ballot prior to the convention, we will not need to convene on Sunday for the election so this will be a 2-day event. It is important that you pay attention to the next few issues to get the details on the convention and instructions on the voting process.

Have a great summer! ■

Capitol Report

By Craig Hull
Chair of Legislative Action Team



GSMOL Members can make a difference in our State Capitol! In response to direction from the GSMOL Legislative Action Team (LAT), more than 1,400 homeowners like yourself sent letters to Sacramento to get the bill passed in its first policy committee hearing. When AB 1269 reached the Assembly floor, GSMOL members and other homeowners from throughout the state got on their phones to advocate for the bill. And, GSMOL won despite the opposition from Western Manufactured Housing Communities Association (WMA), the park owners' organization, who is lobbying against the bill.

On the evening of May 31, **AB 1269 passed the Assembly** with 44 Yes, 24 No and 12 Not voting. See how your Assembly member voted at www.gsmol.org/legislation/2017-bills

The LAT Committee wants to THANK everyone who participated. But the fight is not over!

AB 1269, also known as the Mobilehome Residents and Senior Protection Act, proposes to provide homeowners and residents with a process to resolve disputes regarding alleged violations of the Mobilehome Residency

Law (MRL). An aggrieved resident will have the ability to file a complaint with the State Department of Fair Employment and Housing alleging a violation of MRL.

In other legislative news, the GSMOL LAT helped to **stop two bills proposed by WMA: SB 470 by Jeff Stone**, which would have made it possible for homeowners and residents to be evicted for extremely vague reasons, and **SB 722 by John Moorlach**, which would have created very subjective reasons for removing mobilehomes from rent control protection.

For information on the other bills that GSMOL LAT is tracking, and our position on them, see the "2017 Bills" page under the Legislation tab on our website: www.gsmol.org.

How YOU can get involved: Be ready! Because the legislative process moves very quickly, instructions from a **GSMOL representative** may be given with short notice. And, if your park does not have a GSMOL representative, how about volunteering?

To get involved or to volunteer, please contact LAT Co-Chair Anne Anderson, a.bushnell.anderson@gmail.com. ■

*“How **YOU** can get involved...”*

GSMOL Elections are Coming!

The GSMOL Board of Director positions eligible for election in March, 2018 are: President, Vice President for Zones A-1, B, B-1, and D, Vice President at Large, and Vice President for Resident Owned Manufactured Housing Communities. For the first time, instead of Chapters sending delegates to the GSMOL Convention to elect Directors, each membership can vote for Directors by mail. Ballots and candidate statements must be published in *The Californian* in early January, 2018.

Candidates for the Board of Directors are nominated in one of two ways:

1. By the candidate submitting a Declaration of Candidacy accompanied by a Nominating Petition bearing the names of no fewer than ten (10) GSMOL members in good standing.
2. By a GSMOL Chapter, pursuant to the procedure set forth in Bylaws ARTICLE III, section 3.03.

The GSMOL Bylaws are posted on GSMOL's website www.gsmol.org. To view, click on the "About" tab on the home page, then, on the drop-down menu, click "Important Documents."

Note that Candidacy documents must be received by the Election Committee no later than 60 days before the March 16, 2018 election date. However, for required documents to be received in time to be published in the election issue of *The Californian* as required, they must actually be received by **December 15, 2017** in the home office.

All candidates must submit three completed GSMOL forms:

- A Declaration of Candidacy Form
- A Candidate Willingness to Serve Form
- A Candidate Endorsements Form

These forms can be found and downloaded from the GSMOL website. Each form shows how and where to submit it, and the deadline for receipt. When sending a document by e-mail or U.S. Mail, please ask for confirmation that your document was received.

Note: The Candidate Endorsement Form requires signatures of ten (10) current GSMOL members in good standing. If a membership has not been renewed by the expiration date, that person is not a current member and is not eligible to sign. In the past, one candidate was disqualified because of an endorsement not from a current member. It would be prudent to submit additional endorsement signatures to avoid this problem. Each member may verify their membership expiration date in the address section of *The Californian*. It is a four-digit number near the top of the address. For example, the number 1117 means the membership expires in November of 2017.

If you receive *The Californian* by e-mail only and do not know your membership expiration date, please contact the GSMOL home office.

****REMEMBER: COMPLETED FORMS MUST BE RECEIVED BY DEC. 15, 2017**** ■

“Note that Candidacy documents must be received by the Election Committee no later than 60 days before the March 16, 2018 election date.”

FEEDBACK WANTED!

Give us your feedback on *The Californian*. Comments on stories we've published, or stories you'd like to see are always welcome. Tell us what you like and what you don't like so we can help tailor *The Californian* to you—our member!

Send your feedback to mjbaretich@hotmail.com



Want to See Changes Made to the GSMOL State (League) Bylaws?

By Bob Markley
Election Committee Chairman

The current GSMOL League bylaws are posted on the GSMOL website. To view them, visit www.gsmol.org and on the home page, click on the "ABOUT" tab. Then, on the drop-down menu, click on "Important Documents."

League bylaws are changed only by a majority vote of members. Voting is done at any duly constituted regular or special meeting of members. See League bylaw ARTICLE X. In the recent past, voting was done at a state convention. In the 2014 GSMOL state convention, bylaws were changed so that voting by mail will constitute a regular meeting of members, that voting will be done by mail on or before April 15 of even-numbered years, and that every GSMOL membership in good standing (meaning dues paid up) will be entitled to one vote. Proposed bylaw changes will be published in the "Election" issue of *The Californian*, which will be mailed in early 2018.

If you want to suggest a change to a bylaw, or add a new one, you should send an e-mail message to Ray Downing, Chairman of GSMOL's Bylaws Committee, at raydowning957@gmail.com with the words "proposed bylaw change" in the subject line. In the body of your message you should identify the number of the current bylaw, or state that you are suggesting a new bylaw and what ARTICLE you suggest it appear in. If you don't have internet access, ask a friend who does have it to do this for you.

You must identify which words of the current bylaw you want to delete and which words you want to add. This is of critical importance so readers can understand what you want.

Make sure your e-mail message gives your name, phone number, your park's name, and your space number. This will allow the Bylaws Committee to verify that you are a member in good standing.

The deadline for receipt of proposed League bylaw changes is Oct. 5, 2017

The Bylaws Committee may contact you if they need background information or if there is a similar change suggested by someone else. If multiple proposers propose changes to a bylaw, the Bylaws Committee will consolidate proposed changes to compile a single proposal if possible.

The Bylaws Committee will provide a written report on proposed bylaw changes to the state Board of Directors by Nov. 17, 2017.

On Dec. 5, 2017, the state Board of Directors will meet and decide which proposed bylaw changes they will recommend that members approve and which proposed bylaw changes they will recommend that members not approve.

The proposed bylaw changes, along with the Board of Directors recommendations, will be published in the "Election" issue of *The Californian*. The ballot will provide an "approve" or "disapprove" box (or "yes" or "no" box, wording not yet decided) for each proposed bylaw change.

So, you can see that the Bylaws Committee can't change the bylaws by themselves, and the state Board of Directors also can't change the bylaws by themselves. The bylaws can only be changed by the MEMBERS. So, please take seriously your opportunity to change the bylaws and when it comes time to vote, please VOTE. ■

League bylaws are changed only by a majority vote of members. Voting is done at any duly constituted regular or special meeting of members.

Some Thoughts on Buying and Operating Your Park

In August 2003, seeking to downsize and escape from the city life of San Jose, I moved “over the hill” to the Santa Cruz area. I bought a manufactured-home in an investor-owned park. Days after moving in, I discovered the park had a residents’ association, and the association was trying to buy the park. Long story short: after a year of negotiations (and anxiety) our resident-created nonprofit corporation became the owner of the park.

A local newspaper story about the purchase inspired some residents of other local MH parks to call me, asking for help with the legal aspects of buying their parks. Several years ago, GSMOL asked me to serve as the League’s Vice President for Resident-Owned MH Communities. I’m still volunteering in this position today.

Over the past 14 years, I’ve come to believe certain concepts about buying and owning your park. Here are my top four “important concepts”:

1. The Nonprofit Corporation Method Is The Best Way to Buy Your Park. The residents form a nonprofit corporation. That corporation gets a mortgage loan to buy the park from its investor-owner. To bridge the gap between the park purchase price and the mortgage loan, the corporation sells memberships to the park’s residents. When escrow closes, the resident-created nonprofit corporation becomes the owner and operator of the park. In today’s economic environment, the nonprofit corporation method of buying your park is far and away more likely to succeed.

2. Buying Your Park Is Not Easy. If it were, many more than 200 of California’s 5,000 MH parks would be resident-owned today. Your park purchase effort should have these three elements:

- A park owner willing to sell at a fair price, and who believes your nonprofit corporation can get mortgage financing to buy the park;
- A small group of dedicated resident leaders, willing to figure out how resident park purchases work, and to put time and effort into the project.
- A financial consultant experienced in MH park resident purchases. The consultant must be skilled in negotiating with park owners, and structuring deals that work for park residents and park owners alike. The consultant should also prove they have current working relationships with lenders that finance MH park resident purchases. They should also be happy to have you contact their former clients.

3. Running Your Park Isn’t Simple. Actually, it’s pretty complicated. There are government entities to deal with (for example, The California Housing and Community Development Department, the

California Department of Business Oversight, and city and county government). There are laws that must be followed. For parks owned by nonprofit mutual benefit corporations, the key law is Mobilehome Residency Law §798. The California Corporations Code, the California Health & Safety Code and numerous other statutory laws apply to these parks as well.

In addition, the business aspects of operating a manufactured-home park need constant attention. These include tasks such as bookkeeping; budgeting; revenue and expense analysis; prioritizing maintenance and repair items; negotiating contracts with vendors; complying with lender requirements; etc.

Because owning and operating a MH park in California is complicated, it’s a good idea for the residents’ corporation to hire a property management company to handle the park’s fiscal and physical management. Most lenders require a HOA/corporation to hire a full-service professional property management company for as long as the corporation has mortgage debt.

A good property manager functions as a valuable resource for the HOA/corporation’s board of directors. HOA boards are typically made up of well-meaning individuals who have little or no experience managing a property worth millions of dollars. This lack of experience can lead to trouble for a MH community and negatively affect the residents’ quality of life.

It can take some searching to find a property management company skilled in managing MH parks. MH communities’ issues are different from those in “stick-built” residential developments (where most property management companies focus their efforts). A management company that doesn’t understand MH parks and the applicable laws can actually create expensive problems for the HOA/corporation.

4. Buying Your Park Is Worth The Effort. After 12+ years of resident ownership, I believe most people in our park would say the effort was certainly worthwhile. Our home values have increased. Member rents went up by about 25% when we bought the park in 2005. A few years ago member rents were lowered by 10%. Our HOA/nonprofit corporation has substantial reserves in the bank. The park is well-maintained and looks great. While the perfect world doesn’t exist, living in our community feels pretty close to perfect – and that’s a good feeling.

Feel free to contact me at any time to chat about buying your park. If you already own your park, feel free to contact me for suggestions about best operating practices and staying within the law. ■

Making and Responding to Resident How to Document and Develop a

[This is another in a series of articles published jointly by WMA and GSMOL to promote best practices in the Industry. Past articles have dealt with Tree and Driveway Maintenance; Clubhouse Use; Vehicle Issues; and a Discussion of Who is Entitled to Live in a Manufactured Home Community. This article addresses how to make and respond to a complaint and is intended to be a guide to residents and community managers alike. As usual, Bruce Stanton and Bill Schweinfurth wrote the article. Each has over 30 years of experience in the business from both a legal and management point-of-view. Tom Carpenter, Regional Vice President for Sun Communities, and Dick Bessire, President of Bessire & Casenhiser, also contributed to this article.]

Introduction: Most community managers are very committed to their jobs and care deeply about their residents. Most residents are great people and care deeply about their neighbors and their communities. But manufactured home communities, like other residential developments, are miniature cities and occasionally issues will arise involving conflicts between neighbors, breakdown of facilities, sub-par maintenance of either community common areas or resident homes and homesites, or just a simple mistake by either management or a resident. In these instances complaints will inevitably be made and management needs to respond. This article is intended to provide for a successful issues (complaint) resolution process between residents and community management.

Creation of an Issues Resolution Form: Almost fifteen years ago a group of residents and management personnel met and developed what in their minds would be the ideal method by which to resolve issues. This group was called the "Orange County Mobilehome Task Force" and was brought together under the auspices of the California Senate Select Committee on Mobilehome Parks. The group included prominent GSMOL and WMA leaders and it decided to develop the issues resolution process guide and form, which are reprinted at the end of this article¹. The guide and accompanying

form are on two pages (and they are meant to be printed on the front and back of one sheet of paper). The first page states the goals of the issues resolution process and provides a resolution process procedure guide. The second page contains the form that can be used to document the resolution process if necessary. These are intended to be used by both residents and community managers and are now in use in many communities throughout the State². WMA and GSMOL encourage community management and residents to use both the guide and form, or something similar, to resolve conflicts. Putting a clear process in place will benefit management-resident communications, and give both sides a tool to effectively deal with and resolve disputes amongst themselves before they become a larger, more expensive issue.

Key to Success: The guide's preamble provides the core principle for any successful issues resolution: **Residents and management should always try to follow the Golden Rule: "Treat others as you yourself would like to be treated."** Everyone is encouraged to keep lines of communication open and refrain from unfair criticism and gossip. Finally, residents and community managers are encouraged to avoid an "us vs. them" mentality in favor of a win/win type of approach. It should be the goal in any resolution process to find a solution that is mutually beneficial for all.

- 1 Both Bill Schweinfurth and Dick Bessire were invited to be part of this group and both contributed to the initial development of the issues resolution guide and form.
- 2 Both Sun Communities (operating 5,000 homesites in California) and Bessire & Casenhiser (managing over 10,000 spaces in California) use this or a similar form to resolve resident complaints in their communities.

The Three Step Process of Issues Resolution: **Step #1** of the guide adopts a basic three-step approach. "Residents should (1) *talk* to the community manager about the situation and suggest a resolution; (2) if you are unsatisfied with the community manager's response, then use this Form to *document your request*; and (3) if

“This article addresses how to make and respond to a complaint and is intended to be a guide to residents and community managers alike.”

Suggestions/Complaints: Win/Win Resolution Process – Part I

“This article is intended to provide for a successful issues (complaint) resolution process between residents and community management.”

after 10 working days³, you are not satisfied with the community manager's response, then send a copy of the Form to the community owner/management company for action.”The idea is to have a graduated process whereby the parties seek to solve the issue quickly and informally by talking to each other. If that doesn't work, then the process becomes more formal through use of the written Form up to and including resident communication directly to the community owner/management company⁴.

3 Obviously, there are some situations (e.g., serious health or safety matters) which must be handled in much less time than ten days.

4 Most residents have been taught to assume that upper management and the park owner hate getting complaints or don't care about complaints. This is untrue. Management/park owner wants to know what is going on at the community, especially if residents are dissatisfied. We just want a fair process and a fair chance to make things right.

Step #2 involves the community manager's investigation after receiving a complaint. If the complaint is about another resident, the community manager should first talk to both residents to try to resolve the matter. If that fails, the community manager should write to the resident against whom the complaint was made and request an appropriate resolution. If that is unsuccessful, and assuming that the investigation has substantiated the complaint, the community manager should send the offending resident the applicable legal notices authorized by the Mobilehome Residency Law to seek compliance, and be prepared to enforce them.

Step #3 involves the timing of the community manager's response to a resident's complaint. It encourages management to *respond immediately if a serious health and safety issue is involved*. For more routine matters, the process suggests that management should respond to the resident who made the complaint within 5 working days, and the response can be either oral, in person or in writing. The complaining resident deserves to receive a response from management as to what has been done to

address the issue. Residents should appreciate; however, that for legal and privacy reasons the manager is not always at liberty to explain every action that has been taken.

In order to have a prompt and successful resolution of complaints, everyone is encouraged to cooperate during the resolution process. As page one of the guide notes: “Residents should treat community managers with respect and give them time to do their jobs. Residents should understand that community managers are not police officers and can't be expected to be everywhere and see everything 24 hours per day. Residents should not make petty complaints. Residents also should not expect the community managers to solve all neighbor vs. neighbor disputes. Community managers should respond promptly to resident's suggestions or complaints. Community managers should adopt the attitude that the customer comes first and is presumed to be right until proven wrong. Community managers should treat their customers with respect and strive to make their residency a satisfactory experience.”

These are admirable rules and goals with which all should agree!

The Article is to be continued in the **September 2017** issue of The Californian, including a copy of the Complaint

GOLDEN RULE

Treat others
as you
yourself
would like to
be treated.

Zone Reports

ZONE A REPORT

By Betty Storey

GSMOL Zone A Vice President

Normally when the phone rings for GSMOL Zone A, a member is upset because of their park's Failure to Maintain or worse, there's been an eviction notice. But when Elisa Warford and Sandra Johanneck of Idle Wheel Estates in Woodland contacted me, they wanted to know if GSMOL could help their park's residents in a rent increase matter. Initially I thought "NO" until they said their park had been protected by the City of Woodland's Manufactured Home Space Rent Control Ordinance since 2002.

The Ordinance explicitly recognizes the need to protect the park's owners and residents of manufactured homes from unreasonable space rent increases while also providing the park owners with a just and reasonable return on their property. Also, in addition to the Rent Control Ordinance, the Woodland Manufactured Home Fair Practices Commission was enacted for the Administration and Enforcement of the Rent Control Ordinance.

The park was purchased by the current owners on April 23, 2015 for almost \$7 million and financed with a 10-year interest-only loan for \$5 million. Idle Wheel Estates has approximately 153 spaces on a 20.734-acre parcel and was built in 1961. Amenities include a community room, pool, green space, play structure, car wash, and laundry room. According to the hearing testimony of many of the park residents, not all of the amenities are in good working condition.

In April, 2017, the average space rent was about \$362 per month plus some utilities and there had been several increases in rent since the Rent Control Ordinance went into effect. The family park is in an agricultural area just north of Sacramento and many of the residents are farm workers or senior citizens on low incomes.

In early 2017, the owner of Idle Wheel filed a Special Adjustment Application with the Fair Practices Commission seeking a base monthly increase of \$162.29 plus hearing costs of \$90.50, totaling an increase of \$253.79 per month per space. This amounts to approximately a 45 percent monthly increase in rent. This figure was based on a report prepared by the park's expert witness, Dr. Michael St. John, and it concluded that the park would achieve a fair rate of return at a 45.1 percent increase in rent. The park residents vehemently opposed and offered a rebuttal.

The Woodland Commission, made up of five Commissioners, held 5 weekly public hearings of 5 hours each beginning on March 29, 2017. Waterhouse Management of Roseville, CA, a property management company, represented the park owner while attorney Bruce Stanton, GSMOL's Corporate Counsel, represented the park residents. Stanton cross examined the owner's two expert witnesses and presented his expert witness, Deane Sargent.

Sargent testified that he had reviewed a lot of parks operated or managed by Waterhouse and he had little faith in them. He asked Rubin Garcia, the Vice-President of Waterhouse, during Garcia's testimony, why they bought the park knowing that the park's income would not satisfy the owner's future loan payments and park expenses plus knowing that any increase in space rent would be a severe hardship on the park residents who depend on the Rent Control for affordable housing. His reply was not clear.

Waterhouse, who also manages the Pinto Lake MHP in Watsonville, attempted to increase that park's space rent by \$210 per month a few months before but "did not meet the burden of proof to justify a special rent adjustment", according to a Santa Cruz County representative.

At the hearing, both sides presented substantial evidence to support their

“The Ordinance explicitly recognizes the need to protect the park's owners and residents of manufactured homes from unreasonable space rent increases while also providing the park owners with a just and reasonable return on their property.”

“Many of you are aware that caregivers who do not meet the age requirements are allowed to be in a Senior park as a caregiver, NOT as a tenant. But...”

positions, and the Commissioners combed through “tons” of correspondence, briefs and financial documents. At their request, GSMOL provided them backup material relating to our experiences in Rent Control cases.

The park owner and Waterhouse had presented numerous pieces of evidence which the Commissioners challenged. Many of the capital expenditures were revised and changed to an amortized method of accounting which lowered the monthly space rent they had requested. Some expenses charged to the park residents were disallowed or lowered when it appeared that they were grossly over inflated.

During the second hearing, the park residents were encouraged to express their opinions and for nearly three hours we listened to their complaints and negative comments regarding the proposed increase in space rent.

The council chamber was totally full and the overflow watched a television hookup of the hearing in the lobby. Many speakers had the help of translators. Both the mayor of Woodland, Angel Barajas and Council Member Xochitl Rodriguez, testified in favor of the park residents.

After the five weekly hearings, the Commissioners eventually granted the park owner an increase of \$37.07 per month per space. The owner was also allowed to charge the residents for their attorney, expert witnesses and hearing expenses at an amortized rate beginning at \$8.60 per month and lowering after 20 years to .36 cents per month.

ZONE A-1

*By Karilee Shames
Zone A-1 Vice President*

Bruce Stanton is showing the MRL to a large gathering at Plaza del Rey Mobile Home Park in Sunnyvale. Bruce and Zone Manager Karilee Shames spoke to the specific concerns of Sunnyvale MH park residents



Bruce Stanton

at the invitation of Judy Pavlick, GSMOL LAT leader and head of Sunnyvale Mobile Home Park Coalition.

SOME EXCEPTIONS TO THE AGE REQUIREMENTS IN A SENIOR MOBILEHOME PARK

*By Martha O'Connell
Associate Manager, Zone A-1 Region 1*

Even if you don't live in a Senior park, you should know this to share with friends. Many of you are aware that caregivers who do not meet the age requirements are allowed to be in a Senior park as a caregiver, NOT as a tenant. But I suspect few know that a Senior can also have someone live with them who does not meet the age requirement but needs care. See relevant portions of the Mobilehome Residency Law below.

Section 798.34 (c) is the part about HAVING A CARE GIVER.

Section 798.34 (d) is the part about PROVIDING CARE.

Questions? Need help? Contact Martha O'Connell as space 31.

798.34 GUESTS AND LIVE-IN CARE PROVIDERS

- (c) A homeowner may share his or her mobilehome with any person over 18 years of age if that person is providing live-in health care or live-in supportive care to the homeowner pursuant to a written treatment plan prepared by

See Zone Reports on page 12 ►

the homeowner's physician. A fee shall not be charged by management for that person. That person shall have no rights of tenancy in the park, and any agreement between the homeowner and the person shall not change the terms and conditions of the rental agreement between management and the homeowner. That person shall comply with the rules and regulations of the mobilehome park.

- (d) A senior homeowner who resides in a mobilehome park that has implemented rules or regulations limiting residency based on age requirements for housing for older persons, pursuant to Section 798.76, may share his or her mobilehome with any person over 18 years of age if this person is a parent, sibling, child, or grandchild of the senior homeowner and requires live-in health care, live-in supportive care, or supervision pursuant to a written treatment plan prepared by a physician and surgeon. Management may not charge a fee for this person. Any agreement between the senior homeowner and this person shall not change the terms and conditions of the rental agreement between management and the senior homeowner. Unless otherwise agreed upon, park management shall not be required to manage, supervise, or provide for this person's care during his or her stay in the mobilehome park. This person shall have no rights of tenancy in the park, but shall comply with the rules and regulations of the mobilehome park. A violation of the mobilehome park rules and regulations by this person shall be deemed a violation of the rules and regulations by the homeowner pursuant to subdivision (d) of Section 798.56. As used in this subdivision, "senior homeowner" means a homeowner who is 55 years of age or older.

(Amended by Stats. 2008, Chap. 170 (SB 1107, Correa), eff. 1/1/2009)

CEREMONY COMMEMORATING THE FALL OF SAIGON VIETNAM 42 YEARS AGO

San Jose City Hall, April 30, 2017

By Martha O'Connell

Associate Manager, Zone A-1 Region 1

San Jose has the largest population of Vietnamese outside of Vietnam and the Vietnamese are one of the fastest growing demographics in the mobilehome parks both in that city and in California.



Martha O'Connell, Associate Manager Zone A-1, with Assemblyman Ash Kalra, Assembly District 27. Martha thanked Ash for his April 26 vote to pass AB 1269 out of the Assembly's Housing and Community Development Committee.

ZONE B-1 REPORT

By Anne Anderson

Region 8 Manager

Zone B-1 has approximately 2,072 GSMOL members.

The GSMOL members in Region 8's three counties, with the help of our chapters and HOAs and our good friends in the GSMOL-allied coalitions in our area, have been busy supporting AB 1269, reactivating chapters, working with local governments on ordinance amendments and dealing with park issues such as management interfering with home sales, transitions of park ownership, homeowners coerced into long term leases, condo-conversion hassles, base

San Jose has the largest population of Vietnamese outside of Vietnam and the Vietnamese are one of the fastest growing demographics in the mobilehome parks both in that city and in California.

“Our parks are like mini cities, and it is up to the homeowners to help restore and protect their quality of life.”

rent raises above the allowable amount due to park owner/developer “house flipping,” and management overbilling for water and sewer services. Here is what’s going on in our three counties.

Ventura County: GSMOL attorney Bruce Stanton is representing residents from a park in Ojai in a Discretionary Rent Increase court case. GSMOL and MOHOC, a MH owners coalition, based in Ojai, are working together to assist the residents. Ventura County has three chapters, and a Super-Chapter headed by Associate Manager Jill Martinez.

Santa Barbara County: Chapter 1316 at San Vicente MH park in the unincorporated Santa Barbara area was reactivated on May 18, 2017. The park is going through a transition of ownership which brings big issues for the residents. The members of Chapter 1102 in the City of Santa Barbara are working on several courses of action to protect their residents should their park, which is up for sale, be sold to a developer. Our allied MH owner coalitions, NSBMHT (North County), and SCAMPR (South County), continue to bring residents from multiple parks together to hear guest speakers, to participate in GSMOL’s legislative campaigns, and to share information, issues and ideas. Santa Barbara County has seven chapters.

San Luis Obispo County: Region Manager Anne Anderson and Associate Manager Shirley Shiffer have been traveling around S.L.O. County and meeting with GSMOL Chapters and HOA Boards to promote GSMOL, SLOMAP, and AB 1269. SLOMAP is S.L.O. County’s GSMOL-allied MH owner coalition, which has been struggling this past year with a loss of officers due to illness and death. Anne and Shirley are spearheading an effort to keep SLOMAP alive. Chapter 1551 at Rancho Paso Senior Estates in Paso Robles will be reactivated in June. Counting Rancho Paso, S.L.O. County has five chapters.

ZONE C REPORT

*By Mary Jo Baretich
Region 5 Manager*

We have been super busy here in our Zone, visiting numerous parks each month and helping to organize homeowners to solve problems they are having in their parks. We have 37 Active Chapters and many parks with enough members to become Chapters but without the full slate of officers. We are working on that.

Based upon past experiences and successes, we have been able to connect Chapters and individual homeowners with local pro bono attorneys with very good results. In addition, we have assisted a few of our Chapters to organize Home Owner Associations (HOA’s) for processing Failure to Maintain lawsuits. These are still progressing very well. Educating the homeowners about their rights is a primary goal for us. Instilling trust and confidence in themselves through successful outcomes builds a strong unity and sense of Community. Our parks are like mini cities, and it is up to the homeowners to help restore and protect their quality of life. There is power in numbers, and that is why GSMOL and our Chapters have been so successful. We try to combat the fear by homeowners of retaliation for standing up for their legal rights.

Some things cannot be stopped, unfortunately, such as the closure of a park for another use. And this is occurring here in Orange County at the Green Lantern Mobile Home Park in Westminster. I attended a meeting in April where the park owner announced the closure. Fortunately, the City of Westminster has a Mobilehome Park Closure Ordinance in place. But that still does not help with the disruption of life for those homeowners who live there. Some have been residents for over 20 years. The closure requires that the park hold a public hearing and provide relocation services

See Zone Reports on page 14 ►

to residents. Staff from Overland, Pacific & Cutler Inc., an Irvine relocation specialist, will interview each family to document their moving needs before submitting a report to the city. The entire process will take over a year to complete and we will assist as much as we can. We have been involved with a few other park closures, closely monitoring and working with the cities and relocation specialists.

A few Chapters have reported issues with managers making up their own rules in violation of the MRL, managers challenging the responsibility of trees and driveways, inadequate parking, and failing infrastructure problems. We are assisting these Chapters to first interface with the onsite management, or go up the chain to the park owners.

The Value of San Juan's Mobile Homes

*By Thomas Perrin, Jr.
Published in the San Juan SCOOP
April 24, 2017*

San Juan Capistrano has a treasure of demographic diversity that enhances our local culture and quality of life. This diversity includes a population of citizenry of all ages.

Recognizing the contributions made by seniors to the City is often not understood. Seniors living mostly on fixed incomes stay close to home. They dine in the local eateries and also shop locally. There are advantages to having this populace. Many seniors also provide valuable services to the city by volunteering to help support local events, and to fill positions within the city's Committees, Commissions and other community organizations or institutions.

The growing challenge for cities like San Juan Capistrano is how to provide affordable housing for both its younger families and its senior citizens. Home prices range from \$600,000 to multi-millions of dollars in the City. Mobile home parks in San Juan Capistrano offer one option for both

its seniors and its younger populace to find homes within their budget constraints.

Many people still have a negative impression when they hear "Mobile Home." San Juan Capistrano is actually blessed with numerous mobile home parks with ocean breezes and even million dollar views. To move into a mobile home (which is actually a "manufactured home" and is not mobile) one has to buy the home then pay rent on the space that it occupies. Mobile home prices in San Juan Capistrano range from approximately \$100,000 to \$350,000. Space rent can range from \$650/month to \$1,200/month plus utilities.

As it stands, approximately 60% of the available mobile home spaces are open to "all ages," and approximately 40% percent of the spaces are designated for seniors (55+). San Juan Capistrano recognized the importance of maintaining these modest homes for its residents and established a Rent Control Ordinance tying the allowable rent increases for these parks to the annual Consumer Price Index (CPI).

Lately, this rent stabilization ordinance has been challenged by one of the park owners and his attorneys. In 2015, the owner of the El Nido Estates, one of the 55+ senior parks, attempted to increase the monthly rent by \$641/month. The City upheld and enforced its ordinance by denying the requested increase. Instead the City allowed a \$37/month increase. In 2016, the owner again tried to increase the rents, this time by \$403/month. The increase was again denied by the City. The City did allow a \$9.50/month increase, a number in line with the annual CPI increase. The park owner is currently seeking a Court review of the decision of the City in this matter.

The park ownership is now taking a different tact to try to indirectly attack the rent stabilization ordinance by diluting the number of seniors living in the El Nido Estates by converting the park to an "All ages" park. The scheme of things is to try

“Many seniors also provide valuable services to the city by volunteering to help support local events, and to fill positions within the city's Committees, Commissions and other community organizations or institutions.”

to bring in younger tenants, who might be coerced into signing a long-term lease agreement, which could possibly result in removing the park from the protection of the rent control ordinance. The removal of the park from the protection would be equally catastrophic to young and old alike.

It should be noted, that each and every ownership interest owning a park bought the park with full knowledge of the existence of the rent stabilization ordinance. In other words, they bought an investment (the park) knowing the rate of return would be secure and stable increasing at a guaranteed rate over time. The parks are virtually 100% rented with no exception.

On April 4, 2017 the city of San Juan Capistrano approved a six month extension of its moratorium to prohibit the conversion of its 55+ Senior Parks to All Ages parks. The purpose of the moratorium is to allow time for further analysis and development of a permanent Senior District Zone Overlay ordinance. Such an ordinance will likely discourage the park owners from trying to force residents out of their homes by skirting the City's rent stabilization ordinance. By protecting the status of its Mobile Home Parks, and its rent stabilization ordinance, San Juan Capistrano is preserving its diverse culture and ensuring inclusion of all of our residents, young and old alike.

ZONE D REPORT

Tim Sheahan
Zone D Vice President

Region Nine:

I want to commend chapter president, Lydia Heusner, and the members of Corona La Linda GSMOL Chapter #1038 for a long and valiant effort seeking rent protection support by the City of Corona. While some Council members did manage to gain a few rent concessions from park owner Kort & Scott/Sierra Management, the Council ultimately threw homeowners of Corona La Linda "under the bus" by refusing to adopt a rent stabilization ordinance or

broker a reasonable "Accord" type lease to protect homeowners. After lobbying the City for nearly two years only to see the City slam the door to further consideration, homeowners had little choice but to accept a 25-year lease with 5% annual increases, or else face higher rent increases.

The Corona City Council seemed to look for any excuse to NOT act in support of homeowners rather than every reason they should. They sided with park owners rather than their own constituents and seemed to fear threats of expensive litigation if they acted to protect homeowners.

Some comments made by park owner representatives were deceptive at best and I thought I would bring some of them to your attention, in case similar comments are raised in your area.

The following refer to a few comments made by Julie Paule on behalf of the Western Manufactured Housing Communities Association (WMA), followed by what I feel is an appropriate response to her comments.

Paule Statement: "Rent Control is a failed housing policy in mobilehome parks."

(Response): From local Superior Courts through the U.S. Supreme Court, judges have repeatedly upheld the constitutionally and need for rent stabilization ordinances (RSOs) to protect vulnerable homeowners. RSOs help to maintain the affordability of residency in MH communities by helping to ensure homeowners won't be economically evicted from their own homes. Rent protections help protect the value of homes, just as reasonable leases can also protect home values. Home values rise and fall, however, due to market and other conditions, unlike lot rents which virtually never decrease. If rents are unfairly high, it is true the homes themselves will be more affordable (de-valued), but residency in the community will not be affordable. Home buyers are in a position to knowingly negotiate a price they can afford or else walk away from a deal "unhurt"; whereas,

See [Zone Reports](#) on page 16 ►

“It should be noted, that each and every ownership interest owning a park bought the park with full knowledge of the existence of the rent stabilization ordinance.”

trapped MH owners are often blind-sided by unexpectedly large rent increases and stand to lose the full value of their investments. That hurts not only homeowners, it can hurt lenders, dealers and home manufacturers. Rent ordinances also help promote equity and parity among various MH communities so that homeowners “get what they pay for,” based upon amenities and quality.

Paule Statement: “Rent control is not means tested” and shouldn’t subsidize housing costs for those who don’t deserve it.

(Response): RSOs are NOT subsidy programs, they are valuable consumer protection, in the public interest, just as rate regulation in the utility industry protects vulnerable consumers from opportunistic operators who would otherwise follow the ENRON business model. The Courts have applied the same standard for MH community rent regulation as utility regulation in that operators are provided a “just and reasonable” return on investment and an opportunity to receive “special” rent increases beyond the automatic annual permissive increases if they prove need for such increases. Utility regulation has no “means” test based upon income level for qualification and MH community regulation should not either. Some cities do provide rent subsidies, as do utility companies, based upon income levels of customers, which can be appropriate in such situations.

Paule Statement: “Rent Control places a societal burden on individual park owners” to support affordable housing

(Response): Rent ordinances guarantee fair returns for park owners, while providing necessary protections for homeowners. They have generally been triggered by the greedy park owners in the industry trying to take advantage of their “captive” customers. MHC owners should be upset with the aggressive opportunists in the industry, not with local governments trying to protect their citizens.

(Response): It’s ironic and hypocritical that Ms. Paule would make this claim

considering WMA actively lobbied the State Legislature and CPUC to adopt a program allowing park owners to replace natural gas and electrical infrastructure in “submetered” MH communities, yet have the costs be paid by utility companies and their customers. Considering MHC owners in submetered MH parks have received an extra monthly profit “differential” on utilities that should have been sufficient to pay for infrastructure repair/replacement, MHC owners stand to enjoy a financial windfall by having pocketed the utility differential while also enjoying essentially free replacement of utility infrastructure, which increase the value of their MHCs.

Paule Statement: “Rent ordinances are expensive”

(Response): This is a half-truth, at best. Some cities with RSOs have spent considerable sums to protect their ordinances, while others have spent far less. Some MH community owners have successfully sued cities into submission due to the costs of litigation, even though the cities often prevailed in court. Despite the expense, keeping rent dollars locally in the hands of homeowners to spend on goods and services has allowed those dollars to circulate repeatedly within the local economy, creating a net financial gain for cities with RSOs. RSOs also protect home values, generating MORE property tax and sales tax revenue than if an RSO didn’t exist.

“Rent control is not means tested and shouldn’t subsidize housing costs for those who don’t deserve it.”

Region Seven

I want to welcome and thank our new Region Seven Associate Manager, Gabriel De Simone, who lives at Linda Vista Village in San Diego. Initially, Gabriel is focusing on needs of residents of MH communities in the city of San Diego. For problems in other areas of Region Seven, please contact Region Manager, Buddy Rabaya (Santee and other areas of San Diego County), Associate Manager Victory Roy (Oceanside area), or myself. The contact information can be found in *The Californian*. ■

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GSMOL "Who's Who"

• Leaders in Your Area - Refer to Map on Page 19 for Zones and Regions

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REGION 4

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

REGION 11

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

VACANT

If you would like to volunteer, please contact Zone VP

REGION 14

COUNTIES: Colusa, Sutter, Sacramento, Yolo and Yuba

VACANT

If you would like to volunteer, please contact Zone VP

ZONE A-1

REGION 1

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

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REGION 2

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

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

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ZONE B-1

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REGION 7

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REGION 9

Riverside County

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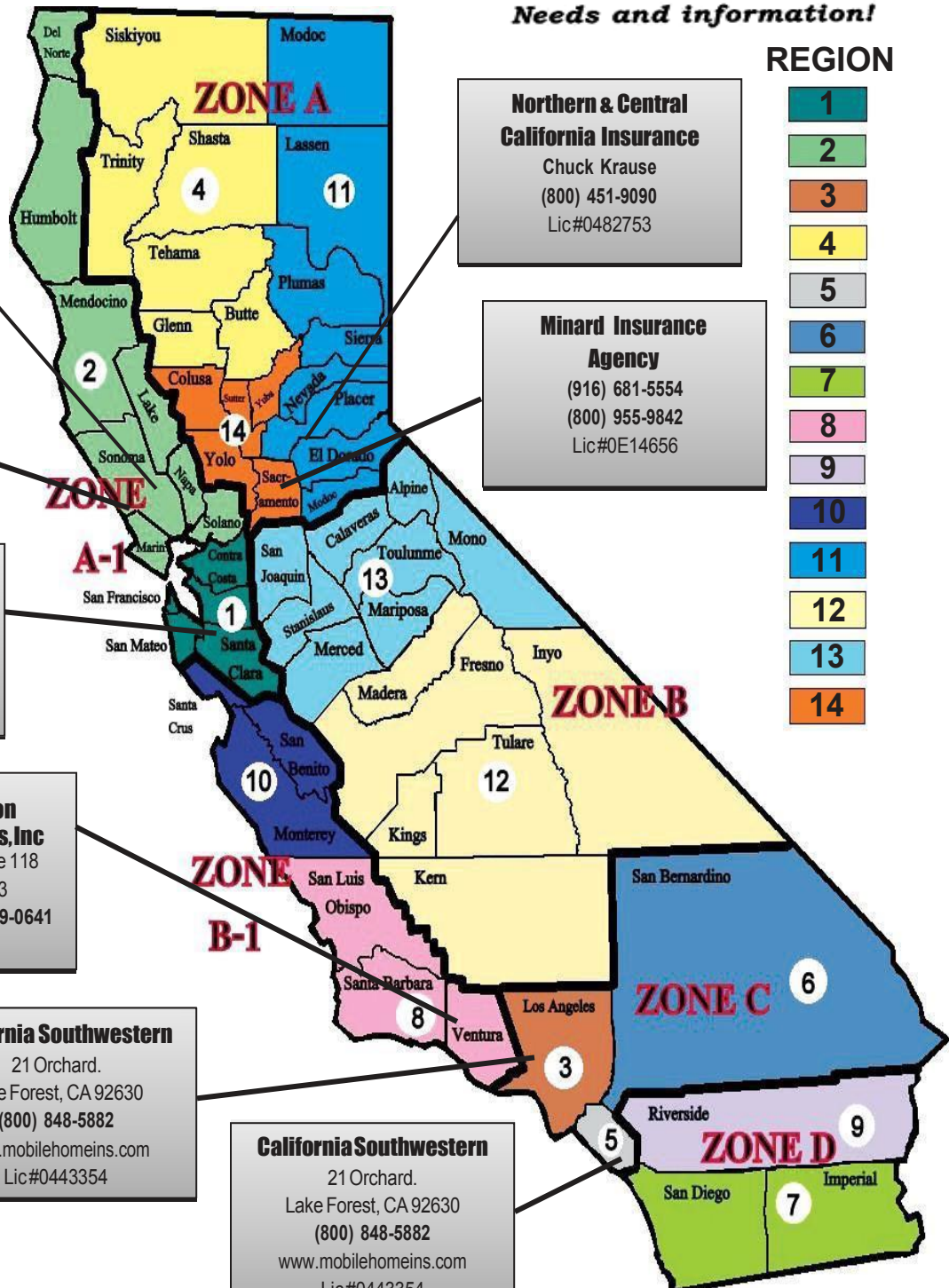
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SPACE NO. MONTH AND YEAR JOINED

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_____	_____	_____	_____
_____	_____	_____	_____

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USE THE APPLICATION BELOW TO GIVE A "GIFT OF MEMBERSHIP" TO A NON-MEMBER!

MEMBERSHIP APPLICATION

GOLDEN STATE MANUFACTURED-HOME OWNERS LEAGUE,
INC. 800-888-1727 • 714-994-9528 • FAX : 714-994-9637



- ☐ One-Year GSMOL Membership for \$25
- ☐ One-Year Spousal/Partner Voting Membership for \$10 More
- ☐ 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)

First Name _____ Initial _____ Last Name _____

Spouse/Second Occupant _____

Park Name _____

Street Address _____ Space # _____

City _____ State _____ Zip _____

Day Phone _____ Alternate # _____

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 fund*

Legal Defense Fund \$ _____

Disaster Relief Fund \$ _____

Political Action Committee (PAC) \$ _____

Detach And Keep for Your Records Thank you



Form 100
Rev 7/14

Comments (For Office Use)

FILL OUT AND RETURN THIS FORM ALONG WITH YOUR CHECK TO GSMOL, 14802 BEACH BOULEVARD, LA MIRADA, CA 90638