

# GSMOL ACCOMPLISHMENTS

For more than 50 years GSMOL has helped homeowners solve countless problems in local communities throughout California. These include manager harassment, interference with home sales, tree and driveway maintenance, homeowner association rights, unlawful evictions, helping to find qualified attorneys and legal aid agencies, preserving over-55 age parks, providing financial assistance to help fund members' lawsuits, and providing assistance with local government hearings or matters requiring contact with local officials. Our members don't win every battle. But we endeavor to assist wherever we can.

GSMOL leaders have also assisted homeowners in working with their local city and county governments to enact rent stabilization and park closure ordinances, Senior Park Overlays, and other local legislation that protects the rights of manufactured-home park residents. We have also supported our members in their challenges to unreasonable rent increases.

In addition to these local efforts, GSMOL has played a pivotal role at the State level, sponsoring legislation and ballot initiatives advancing our members' interests and, just as importantly, blocking those measures that are detrimental. GSMOL members are far better off because of our representation of their interest at both the State and local levels.

Here are some of the accomplishments of our leaders and members over the years:

## **2018:**

- Sponsored AB 3066 by Assemblymember Mark Stone, a reworking of 2017's AB 1269. This time the Governor signed it.

## **2017:**

- Sponsored AB 1269 by Assemblymember Mark Stone, a bill to set up an enforcement system for the MRL. Worked the bill all the way to the Governor's desk. Although the Governor did not sign it, the campaign boosted the strength and breadth of the LAT for future attempts.
- Assisted Humboldt County residents to work with their government to enact a Rent Stabilization Ordinance.
- Assisted City of Antioch residents to work with their government to enact a Senior Park Overlay.
- Assisted City of Arcata residents to work with their government to enact a Rent Stabilization Ordinance.

## **2016:**

- AB 587 by Assemblymember Ed Chau passed. The bill creates an abatement program for mobilehome residents who cannot transfer title into their names due to delinquent taxes and fees that may have been incurred by prior owners.
- Worked with Goleta City Council to adopt a Park Closure Ordinance.

## **2015:**

- SB 419 by Senator Mark McGuire passed. Improves the process for selling your home. Updates and clarifies the rules about realty signs and open houses. Increases transparency for buyers and sellers regarding park standards for admission of new buyers to live in the park, by requiring clear disclosure of the park's income and eligibility requirements.

**2013:**

- SB 510 by Senator Hannah-Beth Jackson passed. Clarifies that a city or county may reject the forced Subdivision conversion of a mobilehome park when it is not supported by a majority of the homeowners, thereby helping to reduce the expected lawsuits by park owners against the cities and counties.

**2012:**

- Passed legislation requiring expanded notice of rights to homeowners, and strengthening 72-hour rescission period for long-term leases.
- Blocked attempt to expand exemption from local rent control for snowbirds or second homeowners.

**2011:**

- Became a party before the California Public Utilities Commission (CPUC) in a crucial Rulemaking proceeding involving transfer of sub-metered gas and electric systems from park owners to the serving utilities.
- Completed safety survey of local GSMOL Chapters with sub-metered gas and electric systems.
- Assisted Santa Barbara County residents to work with their government to pass a Mobilehome Park Closure Ordinance.

**2010:**

- Formed and led coalition that overturned *Guggenheim v. City of Goleta* Federal Court decision, which would have compromised local rent control ordinances throughout California.
- Filed Amicus Brief in *Contempo Marin San Rafael* case to overturn harmful lower Federal Court decision re: local rent control.

**2009:**

- Began sponsoring “Mobilehome Residency Law Road Show” presentations throughout California.
- Blocked proposed AB 761, which would have phased “vacancy control” resale protection out of local California rent ordinances on a statewide basis.

**2008:**

- Defeated Proposition 98, which would have abolished rent control and other homeowner protections.
- Blocked several bad legislative bills that would have compromised rent control and other homeowner protections.

**2007:**

- Prevented management from requiring a manufactured home to be removed from the park unless management has provided the required notice, particularly specifying the condition that permits the removal of the manufactured home.
- Required a disclosure statement of transfer fee and other related information when a transfer fee is payable upon transfer of the property.

**2006:**

- Prevented discrimination in membership in any private club or organization that is a condition for tenancy in a park.
- Helped defeat Proposition 90, which would have eliminated rent control.

#### **2005:**

- Prevented rental agreements that include any provision granting to management the right of first refusal to purchase a homeowner's manufactured home that is in the park and offered for sale to a third party.
- Required a 14-day notice for removal by management of a homeowner's or resident's personal property because of a violation of the reasonable rules and regulations of the park or the provisions of the Mobilehome Parks Act.

#### **2004:**

- Required management to return an executed copy of the rental agreement within 15 business days of receiving the rental agreement signed by the homeowner.
- Required 60 days notice to change park rules and regulations mandated by a change in the law.
- Required seven day notice before removal of a vehicle from a resident's driveway or designated parking space.
- Prevented management from acting as the agent in the sale of a manufactured home as a condition of management's approval of the buyer or prospective homeowner for residency in the park, or a condition of resale of the home in the park.
- Allowed advertising the sale or exchange of a manufactured home by heirs, joint tenants, or personal representatives.
- Prevented ownership or management from the right of entry to a manufactured home without the prior written consent of the resident.
- Prevented management from requiring a homeowner to purchase, rent or lease goods for remodeling or maintenance from any particular person, company, or corporation.
- Required disclosure of the identity of a third-party utility billing agent or company.

#### **2003:**

- Allowed rent control to apply to manufactured homes being advertised and actively marketed.
- Allowed display of political campaign signs in the window or on the side of a manufactured home, or within the site on which the home is located or installed. Signs may be up to six square feet and displayed no earlier than 90 days before an election and no later than 15 days after an election, unless local ordinances have a more restrictive period of time.
- Prevented management from invalidating the sale of a manufactured home simply because the homeowner failed to advise management in writing that the manufactured home is up for sale.
- Required disclosure of rent, fees, eligibility for rent control, and other information to new buyers of manufactured homes.
- Allowed punitive damages to be awarded if a homeowner is the prevailing party in a civil action against management to enforce his or her rights in cases of willful violation.

#### **2002:**

- Permitted renting out or subletting a homeowner's home in case of a medical emergency or required medical treatment.
- Allowed District Attorneys, City Attorneys, City Prosecutors, or the Attorney General to bring a civil action in case of failure to maintain common facilities in good working order.

#### **2001:**

- Required refund of security deposits if a homeowner has promptly paid to management all; rent utilities and reasonable service charges for 12 consecutive months.
- In master-meter parks, required written notice in utility bills every January and posting of notices about availability of California Alternate Rates for Energy (CARE) program. Required management to provide information to park CARE applicants. Required management to pass through the full amount of any CARE discounts to homeowners.
- Prohibited requiring a cleaning deposit for use of park clubhouse or recreation hall if a homeowner is hosting a meeting and all homeowners or residents of the park are allowed to attend.
- Required park owners to be financially responsible for all tree maintenance for health and safety violations and for repair and maintenance of driveways management installed.
- Assured manufactured homeowners access to park clubhouses and recreation halls for meetings without having to pay cleaning deposits or obtain costly liability insurance policies.
- Granted property tax relief to resident-owned parks.

#### **2000:**

- Required 60-day notice for termination of tenancy of state employees living in parks owned, operated or maintained by the state.
- Disallowed leases that prohibit pets.
- Limited the price management can charge for Liquefied Petroleum Gas (LPG) even in parks where homeowners are not allowed to install their own LPG supply tanks.
- Required that on resale of a manufactured home that will remain in the park, repairs or improvements required by management are limited to those exterior repairs required by a local ordinance or state statute. Required a written summary of such repairs within 10 business days of request. Limited such repairs or improvements to those that can be required during any other time of residency.

#### **1990 - 1999:**

- Improve enforcement by authorizing city attorneys to bring lawsuits and by prohibiting park owners from passing through their attorney's fees, costs, penalties and assessments when they lose a lawsuit.
- Authorize the PUC to inspect the safety of manufactured home park gas systems.
- Required park owners to give their resident organization at least 30 days notice prior to listing the park for resale.
- Exempted resident organizations from preparing an Environmental Impact Report when residents buy their park if no physical changes are made to the facilities.
- Authorized PUC to investigate water charges in manufacture-home parks.
- Required that parks disclose the name, address, and business telephone number of park owners.
- Protected manufactured homes under 10' wide from eviction at the time of resale as long as they pass a health and safety inspection.

- Assisted manufactured home owners who wish to designate their heirs on the manufactured home title certificate.
- Clarified the right of cities to act as intermediaries in the purchases of manufactured home parks.
- Prohibited unilateral renewal clauses in leases offered by park owners after January 1, 1993.
- Repealed the mandatory Earthquake Recovery Fund.
- Required park managers to provide signed plot plans prior to installation of manufactured homes.
- Prohibited filing of SLAPP lawsuits designed to discourage homeowners from exercising their constitutional rights.
- Required park manager to give resident a three-day notice prior to non-emergency utility shut-offs for repairs.
- Required park managers; and employees to comply with park rules and regulations.
- Required park managers to meet with residents to discuss proposed changes to rules and regulations.
- Required 90-day notice of rent increases.
- Permitted the use of conventional "for sale" signs and information tubes on manufactured homes.
- Provided assistance to manufactured home-owners who suffered earthquake damage.
- Stopped legislation which would have hampered homeowners' ability to initiate lawsuits in manufactured home parks and that would have required costly mediation before such suits.
- Assisted manufactured home-owners to collectively purchase parks in which they live.
- Assured a grandparents' right to have visits with grandchildren in manufactured home parks.
- Authorized the PUC to investigate rates charged by park owners from water wells which they control.
- Defeated Proposition 199 which would have taken away the right of local governments to adopt manufactured home rent regulation, and would have ended manufactured home rent control in California.
- Confirmed the right of manufactured home parks in California to be limited to housing for older persons as stated in the Federal Fair Housing Amendments Act.
- Upon the sale or transfer of a manufactured home that will remain in the park, management is prevented from requiring repairs or improvements to the park space or property owned by management, except for damage caused by the actions or negligence of the homeowner or an agent of the homeowner.
- Provided that when a homeowner or former homeowner prevails in a civil action against the management of a park to enforce the homeowner's rights under the Mobilehome Residency Law, including small claims court, that in the court's discretion, the homeowners may be awarded an amount not to exceed \$2000 for each willful violation by management.
- Improved homeowner protections for residents of resident-owned parks, including the right to have live-in caregiver if medically required, including a parent, sibling, child, or grandchild, without being charged additional rent.
- Prohibited park management from amending rules and regulations to impose new fees on homeowners.
- Required park management to give prospective homeowner a written disclosure form stating the condition of park common areas.

#### **1980 – 1989:**

- Required management to meet with residents when requested in writing.

- Required management to notify residents of the zoning status of the park and of conditional use permits.
- Required park owners seeking to convert the park to another use, to give eviction notice only after all permits for conversion have first been approved.
- Prevented management from arbitrarily removing manufactured homes 17 years of age and older.
- Changed the label “tenant” to “homeowner.”
- Enabled senior citizens to postpone real property taxes.
- Eliminated double taxation of manufactured home accessories.
- Assisted manufactured homeowners in collectively purchasing parks.
- Prevented an increase in park property taxes if purchased by residents.
- Limited sales tax on used manufactured homes.
- Established the Mobilehome Recovery Fund to protect manufactured home buyers from fraud.
- Required park owners to prepare impact report before closing manufactured home parks and enabling local governments to require that park owners pay all reasonable costs of relocation.
- Regulated park owner’s ability to impose credit fees upon prospective purchaser.
- Gave park owners a capital gains tax break only if they sell their park to the residents.
- Prohibited local governments from requiring placement of manufactured homes on permanent foundations in manufactured home parks and subdivisions.
- Prohibited the eviction of manufactured homeowners due to a lot line dispute in manufactured home parks.
- Allowed homeowner at least 30 days to review rental agreements offered to them by park management, and gave homeowners the right to void any such agreements they have signed within 72 hours of their signature.
- Established clear rights and protections for manufactured homeowners accused of abandoning their manufactured homes.
- Required park owners to give notice of their intent to sell a manufactured home park if the resident has first formed a resident organization interested in purchasing the park.
- Extended protections against arbitrary closure and conversion of manufactured home parks to parks situated in charter cities.
- Established the right for homeowners to hear elected officials and candidates speak in the park’s clubhouse.
- Exempted homeowners forming a corporation to purchase their park, from payment of annual \$200 corporation fee.
- Established park owner liability for interference with manufactured home resales.
- Required park owners to provide copies of the Mobilehome Residency Law with rental agreements.
- Stopped state-wide legislative bills that would have restricted, prohibited or outlawed rent control ordinances in local communities.
- Required each park to post a sign with the name, address and phone number of the Mobilehome Ombudsman.
- Management prohibited from demanding copies of any personal income tax returns as a determining factor of ability to pay rents.
- Required written response stating reasons for rejection of prospective buyers.
- Prevented management from requiring they be sole agent in manufactured home sales as a condition of approving homeowner residency.
- Required a 30-day written notice to residents that work is beginning on physical improvements and maintenance projects or that service are being reduced.

- Established the right of residents to circulate petitions in the park.
- Exempted residents who purchase a park from the Subdivision Map Act.
- Established regulations governing installation and inspection of earthquake bracing systems.
- Provided heirs who gain ownership through death of homeowner the right to resell the home.
- Allowed designating a manufactured home to a polling place.

**1969 - 1979:**

- Required 60-day notice for evictions.
- Guaranteed manufactured homeowners the right to meet in a recreation hall.
- Created “just cause” eviction procedure.
- Banned park entrance fees.
- Required management to provide a list of services performed by the park.
- Required “just cause” eviction procedure for persons who are occupants for 9 months or longer of recreation vehicles and any sized travel trailers.
- Doubled renter credit.