Interference With Mobilehome Sales, Part One

(From an article published in The Californian)

By Bruce Stanton, GSMOL Corporate Counsel

For most mobilehome residents, the investment made in their homes is their most significant asset. When homeowners make the decision to sell their home, it is vital that the best possible sales price be received, so that the investment can be realized. A homeowner wants to be able to sell without interference from management, according to the rights guaranteed by the Mobilehome Residency Law (MRL).

The sale of a mobilehome "in place" requires park approval of the prospective buyer, and that certain MRL-approved upgrades be performed. But the selling homeowner should be able to reasonably market the home and have the buyer's application reviewed in a timely manner. Buyers who are clearly qualified should not be subjected to delays or rejections.

If a mobilehome is removed from the park as a condition of resale, it becomes worthless. To have any value, it must be sold "in place", in its rented space, surrounded by the common areas, accessory structures and landscaping that has been improved by the homeowner. The ability of the homeowner to sell the home "in place" is thus paramount.

One of the areas of most concern to GSMOL and its members is that of "in place" mobilehome sales. While most parks follow the MRL and avoid interfering with

efforts to sell, there are some who do not. Those park owners could have several motives for discouraging "in place" sales. They might prefer that older and less desirable single or double-wide homes be removed in favor of newer models. The ability to re-stock the park with newer homes could add value to the park owner's property. Or they might want to create a vacancy, which will usually allow them to raise rents under local rent control. If the selling homeowner is prevented from selling and abandons the home, that goal can be realized. And the park might end up gaining title to the home at virtually no cost, at which point it can be re-sold for a profit or rented out.

These are the most common "business" incentives which might prompt a park owner to frustrate or prevent sales, or attempt to require removal of a home at the time of resale. Residents thus need to be aware of their resale rights under the MRL.

In Part Two of this article we will cover some of the questions that GSMOL has received.

This article is part of a series produced by the GSMOL Leadership Training Committee. Articles by Bruce Stanton as well as other experts on mobilehome matters can be viewed and downloaded on the GSMOL website at https://gsmol.org/know-your-mh-rights.

***GSMOL Members:** If you have further questions on this topic or want to discuss possible violations of law in your park related to this topic, please contact your GSMOL go-to person, who may be a Chapter officer, Associate Manager, Region Manager or Zone Vice President.*

To find your go-to person, see the "Who's Who" page in the Californian magazine, or look on the Contact page at https://gsmol.org for the link to the Who's Who page.

***Real Estate Agents:** For further information contact Anne Anderson, GSMOL State President, a.bushnell.anderson@gmail.com*