

# THE CALIFORNIAN

GOLDEN STATE MANUFACTURED-HOME  
OWNERS LEAGUE

Volume 59 - Issue 3  
3rd Quarter - 2024



Love this mobilehome? See inside front cover (Pg. 1) for details on our “featured home” and learn how you could be our next featured home.

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The MRLPP is  
WORKING!



**Rent Stabilization is  
Under Attack (part 3)**

**Details on Page 7**



## On the Cover....



More on our featured home in Oceanside. This double-wide mobilehome is a show stopper! It started with 5 baby bougainvillea plants planted soon after the owner moved in in 2013. With pruning and love, the plants flourished so that 5 years later they became “one” - one vibrant green privacy fence. That is until green turns to pink and the fence explodes in brilliant pink blossoms! And yes, the owner has a gardener!

Would you like your home featured on the front cover of **The Californian**? Do you have a unique home? Or a simple, ordinary one that you are proud of? Single-wide, double-wide or triple-wide, your mobilehome could have a place on our front cover. Send a picture to: [TheCalifornian@GSMOL.org](mailto:TheCalifornian@GSMOL.org). If selected, we will reach out for more information.

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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. GSMOL is a nonprofit corporation with an IRS 501(c)(4) charitable tax exempt status.

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By Anne Anderson  
GSMOL State President

## From the President



### GSMOL DONATION DRIVE –

**OCTOBER 1 THROUGH 31**

**What could GSMOL do with an extra \$10,000?**

- Pay for our members who are not online to get at least two issues of a professionally printed Californian delivered

to their home next year.

- Partially reimburse our regional volunteer leaders and chapters (who currently pay everything themselves).
- Pay a stipend to the marketing expert that I discuss below.
- Pay for a professional filmmaker to create a series of training videos for new leaders and chapters.

These are just a few examples of things we could not ordinarily afford to do based upon membership income alone. With the generous help of some of our members and other friends, \$10,000 would give us the ability to do ALL of those things in the coming year and maybe some others. As long as our members' dues continue to pay for the basics and we continue to grow our membership, we can consider some of these ways to help our members and extend the reach of our organization with money raised in the donation drive.

**The donation drive will last throughout the month of October. Our goal is to raise \$5,000 in donations, which will be matched by a grant in 2025 if we reach that goal. [You may donate through our website](#) or send a check to GSMOL, 14802 Beach Blvd., La Mirada, CA 90638. [Donations to GSMOL](#) are not tax-deductible. However, you can make a tax-deductible donation to the [Ed Fund](#) or the [GSMOL Fund](#), and it will be applied to the donation drive. Updates will be posted on our website.**

**YOU can make a difference! No amount is too small!**

**Wanted: Marketing Expert!** GSMOL is looking for someone with experience in marketing to lead a new team that we are forming. The various members of the team will handle tasks related to marketing, advertising, public relations, our store, our Facebook and other social media, our website, and fundraising – so we are also looking for people with expertise in THOSE fields to be members of the team. If you know of anyone who might be interested in ANY of these activities, please have them email me directly.

--Anne Anderson

[a.bushnell.anderson@gmail.com](mailto:a.bushnell.anderson@gmail.com)

The 2023-24 Legislative Session was one of, if not the busiest session for the GSMOL Legislative Action Team (LAT) Committee. Three bills were sponsored by GSMOL and we tracked close to 20 others. A majority of those LAT-monitored bills and their dispositions are listed below. These bills represent countless hours of volunteer time by LAT Members, spent reading proposed legislation, interpreting its meaning, discussing and then determining the position, if any, that GSMOL will take, and providing in-person testimony in Sacramento.

LAT Committee Chairs are appointed by GSMOL's President and the chair selects LAT Committee members. The President is a defacto member. The following individuals served on the LAT Committee for all or a portion of the 2023-24 Legislative Session: Roger Johnson (Chair), Hilary Mosher (Chair), Martha O'Connell (Interim Chair), JoAnne Ventre (current Chair), and LAT Members including Anne Anderson, Dick Heine, Linda and Joe Nye, Michele Moenning, Beverly Purcell, and Bill Seaton. Finally, a BIG SHOUT OUT to Bruce Stanton, GSMOL's Corporate Counsel, for his years of counsel and guidance to the committee.

Watch this space for news from GSMOL about the 2024-2025 Legislative Session. If you have an interest in participating in GSMOL's legislative activities please send an email to [legislation@gsmol.org](mailto:legislation@gsmol.org) with "Legislation" in the subject line. To receive GSMOL Legislative E-Blasts click here [Legislative E-Blasts](#).

## **Bills GSMOL Sponsored or Supported, Signed into Law:**

### **SB 1408 (Roth) Vehicle Removal**

This bill prohibits management from removing a vehicle used or required by the homeowner for work or employment, or which advertises any trade or services on the vehicle, from a homeowner's or resident's driveway or designated parking space. [Read bill text and status here.](#)

### **SB 1190 (Laird) Solar Installations**

This bill would make it unlawful for park management or owners to prohibit or restrict a homeowner or resident from installing or using a solar energy system on the home or the site lot or space on which the mobilehome is located, or to

take other specified actions in connection with the installation or use of a solar energy system.

[Read bill text and status here.](#)

### **AB 2373 (Rendon) Evictions During PTO Suspensions**

This bill would prohibit a tenancy from being terminated and a notice of termination from being issued during the period of any suspension or expiration of a park's permit to operate.

[Read bill text and status here.](#)

### **AB 2387 (Pellerin) Additional Lots**

This bill would authorize an owner of an existing mobilehome park to add additional lots, not to exceed 10% of existing lots. Author accepted GSMOL submitted amendments.

[Read bill text and status here.](#)

### **AB 2399 (Rendon) Park Owner Provision of MRLPP to Homeowners**

This bill would require park owners/management to provide information regarding the Mobilehome Residency Law Protection Program (MRLPP) to mobilehome residents. The MRLPP requires Housing & Community Development (HCD) to provide assistance in taking complaints and to help resolve and coordinate the resolution of those complaints that are related to the Mobilehome Residency Law.

[Read bill text and status here.](#)

### **AB 661 (Patterson) Utilities/Electronic Communication**

This bill would authorize management, upon consent of the homeowner or resident, to provide notice of an interruption in utility service through electronic communication, as defined. This bill was amended before passage.

[Read bill text and status here.](#)

### **AB 2247 (Wallis) Notice of Violations**

This bill will make changes to the content and timing of a notice of an MRL violation to a mobilehome resident as well as to the owner or operator of the park. GSMOL has concerns that the proposed language changes to the MRL could potentially harm mobilehome residents.

[Read bill text and status here.](#)

## **Bills GSMOL "Monitored" Signed into Law:**

### **AB 1886 (Alvarez, D) Housing Accountability Act**

This bill addresses the determination of substantial compliance with the Housing Element Law. [Read bill text and status here.](#)



## **Passed, but Vetoed:**

### **AB 2022 (Addis) Emergency Preparedness**

This bill adds to existing law additional requirements to the emergency preparedness plan MHP owners/management must adopt before issuance or renewal of a permit to operate. The bill would require an enforcement agency to ascertain compliance with those provisions. Violations not corrected within a determined time are subject to penalties and if warranted, a refusal to issue or renew a permit to operate. [Read bill text and status here.](#)

### **SB 1108 (Ochoa Bogh) Violation Notice**

This bill would revise language in the MRL to include requiring the enforcement agency to be responsible for exhausting all administrative and legal recourse against a resident who fails to correct violations. GSMOL has concerns that the proposed language changes to the MRL could potentially harm mobilehome residents.

[Read bill text and status here.](#)

## **Bills “Dead” This Year:**

These bills were defeated in committee or pulled by the author and will not be put to a vote by the legislature during this legislative year.

### **AB 2778 (Marasutchi) Rent Caps**

This bill was sponsored by GSMOL and we are disappointed that our efforts were thwarted. GSMOL will continue to direct resources to protect MH residents from unreasonable rent increases.

### **AB 1095 (Patterson) Solicitation Contract**

This bill would have excluded a specific type of “home solicitation contract” from existing law. GSMOL was monitoring this bill.

### **AB 2539 (Connolly) Right of First Refusal**

This bill would add to existing law and grant a park residents’ organization a right of first refusal to the sale of a mobilehome park. GSMOL was in support of this bill.

### **AB 2977 (Patterson) Subdivisions**

This bill would exempt the review and approval, conditional approval, or denial of a subdivision for a manufactured home development project from CEQA if the project satisfies specified conditions. GSMOL was monitoring this bill and submitted amendments to the author.

### **AB 3200 (Hoover) Transfer/Water Systems**

GSMOL asked for clarification and presented concerns to the author of this bill.

### **SB 1095 (Becker) Gas Conversions**

GSMOL took no position.

### **SB 1052 (Seyarto) MRLPP**

This bill was strongly opposed by GSMOL. Our efforts were successful in killing this bill.

### **SB 1212 (Skinner) Purchase, Acquisition, and Sale of Housing**

This bill would impose restrictions on home purchases by real estate investment trusts. GSMOL was monitoring this bill.

### **AB 2291 (Alanis) Mobilehomes**

This bill is an effort supported by MHP owners to interfere with the operation of the MRLPP, a program that provides HCD assistance (including access to free legal assistance) to MH residents faced with MRL violations in their park. GSMOL was instrumental in establishing the MRLPP as law and is resistant to interference with its operation.

### **AB 2584 (Lee) Corporate Ownership**

This bill would prohibit a business entity that has an interest in more than 1,000 single-family residential properties from purchasing, acquiring, or otherwise obtaining an interest in another single-family residential property and subsequently leasing the property

### **SB 1201 (Durazo, D) Beneficial Owners**

This bill requires corporations and domestic and foreign limited liability companies (LLCs), beginning January 1, 2026, to report information about their beneficial owners, as specified, on periodic reports that those business entities are required to file with the Secretary of State and that are made available to the public.

**VOTE**  
**2024**



# GSMOL's 2023 "Legislator of the Year"

By JoAnne Ventre, LAT Chairperson

Each year GSMOL selects a member of the state legislature to receive our recognition and gratitude for the legislative support they have provided to our organization and our members. They may have authored or co-authored a bill, worked with us to identify an alternative author, and/or garnered support from their fellow legislators or state departments. GSMOL is pleased to announce that **Assemblywoman Dawn Addis** is our Legislator of the Year for 2023. She is a teacher, mom, and former City Council Member elected to the California State Assembly in 2022 to represent the coastal **30th Assembly District**, which includes large portions of San Luis Obispo and Monterey Counties, and the southeastern area of Santa Cruz County.

Responding to a question about how she came to be an assemblywoman, she said:

"It all started with Linda\* (Winters), literally. During my time as a Morro Bay Council Member from 2018 to 2022, I campaigned on the promise of addressing housing needs in our community. Together, we made housing a major city goal, successfully securing approval for our housing element, which includes plans for low-income housing. We also took the crucial steps to allocate the final budget and approve construction for the first 100% low- and extremely low-income housing development in 30 years..."

During her time on the Council, Ms. Addis became aware of the gaps in how mobilehome residents were being treated. She felt the Council's power was limited and the best they could do was advocate to the Governor when relevant bills came forward. She made a promise to herself that if she was ever elected to the Legislature, she would do everything she could to protect residents—not just in Morro Bay, but throughout SLO County, the Central Coast, and all of California.

In 2022 Ms. Addis was elected to the California Assembly. In the winter of 2023 following severe storms and widespread flooding in her district, she visited mobilehome parks damaged by the storm. She was able to see firsthand how



Assemblymember Dawn Addis receives GSMOL's Legislator of the Year Award in March of 2024. (L-R) Former Legislative Action Team (LAT) Chairman Roger Johnson, Unidentified, Michele Moenning, Unidentified, Assemblymember Dawn Addis, Beverly Purcell, Former GSMOL President Linda Nye, and Former GSMOL Zone B Vice President Joe Nye.

mobilehome residents were flooded out, their lives upended, and how they were feeling abandoned and unsupported. This experience solidified her commitment to advocate for stronger protections for mobilehome residents, ensuring their voices are heard and their homes safeguarded.

In 2023, Assemblywoman Addis authored a critical bill for GSMOL - **AB 318** that extended the Mobilehome Residency Law Protection Program (MRLPP) allowing mobilehome residents their right to seek justice for infractions of the Mobilehome Residency Law (MRL). Enacted in 2024, AB 318 extended the life of this essential program for three more years.

GSMOL is honored and grateful to have Assemblywoman Addis fighting for all mobilehome residents in California.

*\*Linda Winters, AKA Mobile Home Linda, is GSMOL's Associate Manager for Region 8, North Santa Barbara County. She is a shining star in GSMOL's leadership team and an example of how one person can make a difference.*



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**Wanted: Marketing Expert-**

GSMOL is looking for someone with experience in marketing to lead a new team that we are forming. The various members of the team will handle tasks related to marketing, advertising, public relations, our store, our Facebook and other social media, our website, and fundraising – so we are also looking for people with expertise in THOSE fields to be members of the team. If you know anyone who might be interested in ANY of these activities, please have them email GSMOL President, Anne Anderson at [a.bushnell.anderson@gmail.com](mailto:a.bushnell.anderson@gmail.com)



# ATTACKS ON MOBILEHOME RENT STABILIZATION

## What Might Happen (or is Already Happening) to Your Park?

By Deane Sargent

*(This is the 3rd and final article in the series)*

The GSMOL Board of Directors thinks California's mobilehome park (MHP) rent stabilization ordinances (RSOs) are under attack. They are right! They have asked me to write a three-part article on the situation. Part 1, What is Going On, was published in the spring edition of the Californian. (If you missed it, you can find it on the GSMOL website at [GSMOL.org](http://GSMOL.org).) Part 2, What Might Happen (or is Already Happening) to Your Park, was published in the summer edition of the Californian (same website). This is Part 3, What You Can Do About It.

My name is Deane Sargent, and I am a finance guy who helps resident groups purchase their mobilehome parks. I'm not an attorney (no legal advice or judgments here), but I have been called as an Expert Witness for residents in rent control disputes (meaning I hang around with attorneys). These are my opinions and do not represent the position of GSMOL or any attorney.

I am also very blunt, because I think you NEED to know this stuff!

### “What You Can Do About it”

As I have worked with resident groups over the years, I have found that most folks who live in mobilehome parks just want to live their lives – work their job, take care of their family, and have what I call, 'quiet enjoyment of their lifestyle.' Unless someone was scammed when they moved in, residents bought their home, knew the park rules, knew whether there was an RSO, knew what their site rent was, and what it was expected to be in the future. They got to know their neighbors and became part of the community.

But the MobileHome Park World has changed. **Big Money wants your park.** They think you are trapped and they can raise rents and deal with you without many limits.

This situation **REQUIRES** a change of mindset by MHP residents. There are two kinds of animals in this world – **Predators and Prey**. Predators, like lions, tigers, bears, and humans, have narrow-set eyes on the front of their face to focus on their next meal. Prey, like cows, sheep, goats, and rabbits, have wide-set eyes so they can detect danger and avoid being the next meal. In the current MHP environment, **you are PREY!**

**A cautionary note: The activities you are about to undertake will cause some/many residents in your park to have reactions – some scared, some angry, some reaching out to the park manager/owner seeking information, some hostile to you for 'rocking the boat,' whatever. So, keep your mouth shut. At the appropriate time, you can inform everyone what is going on (if anything). Otherwise, shut up.**

**Also, if you don't have an RSO, contact your GSMOL representative to see if you can get one.**

**At this point, you probably DO NOT know what the owner has in mind – maybe nothing, maybe attack the RSO, maybe sell the park, maybe close the park. You can't tell at this point but, like any PREY, be aware about everything.**

**The FIRST STEP is to 'look around.'** Sounds silly, but take a look at what is really going on in your park (see RSO Part 2 to refresh your memory) – changes in management, new levels of neglect (or new levels of 'fix up'), vacant sites, rules enforcement, evictions, etc. Is your owner getting old? New wife? Divorce? Kids showing NO interest in the park. Also, look at other parks in your area – anything going on with them – changes in ownership, harassment, etc. Check out your local and state municipal assistance housing department, local city councilpersons, Cal HCD, zoning, etc. The goal is to get a handle on your situation and start to assess your risk of 'trouble brewing.'



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**Next, form a leadership team.** You can't do it all yourself. Locate 5-7 folks in the park (all this on the 'down low') who are concerned about this stuff. They should be focused on **THIS ISSUE**, reasonably intelligent, hardworking, and willing to be (and become) park leaders. Don't try to use existing organizations in the park because they are focused on their own agendas. They can also be massive sources of rumor and gossip – which you don't want at this point. Be positive. If you unfortunately get someone on the committee who is constantly negative and difficult to deal with, grab a shovel and take them to the beach. (Actually, just get them off the team, however you can.)

**Next, get organized.** Everyone on the team will have different strengths. Assign them tasks. Someone might be really good about walking around the park and noticing stuff – have them write it down, take photos. Someone might be really organized and can keep notes for follow up with team members. Someone might be really good at computers and the Internet. Have them do research and coordinate communication within the team. Someone might be particularly charming and should be down at the city/county and the housing department. You get the idea.

**Next, reach out.** Remember, RSOs are under attack all over California, and some parks have gone or are going through what you may be facing. Get on the Internet and search for other park leaders. Believe me, they are thrilled to pass on information about what's happening in their park and share ideas/stories, etc. Network with any and all parks you have time for and pick up tips.

**Next, continue to evaluate.** Find out who is on your side and what they can do for you. Equally important, find out who is NOT on your side and probably won't help. Could be political, money, or just uninterested. Keep track.

**Next, think about money.** If you must fight this fight, it is expensive. When the action starts and

everyone in the park knows the 'stakes' (see details in the next section), you'll probably have to go through the park with a bucket and collect some bucks. You will be paying for an attorney and expert witnesses, among other stuff. If, during the time you reached out to other parks in similar situations, you discovered non-profit groups that might be help fund raise or donate, contact them.

**Next, think about an attorney.** Some folks go their entire lives without having to interact with an attorney (we call them 'the lucky ones'). But, in your case, if the battle is looming, you need to know about attorneys and which ones can help and under what circumstances. Remember, the park owners have **lots** of money and **lots** of incentives. In a recent RSO arbitration, the park owner wanted a \$1,500/mo. per site rent increase, from an RSO base of about \$500. In an 80-site park, if the owner were to get such an increase (which is unlikely), the park owner would collect an additional \$120,000/**MONTH**, every month (\$1,440,000/annually – forever). That park owner spent over \$400,000 in legal and expert witness costs. In that case, everything was **denied**, but you never know. If the owner wins even a little, he will try (probably successfully) to get **YOU** to pay some or all of his costs, in addition to the rent increase. RSO actions are a very specialized field and the owner's attorneys are really good. So you need an attorney with expertise and a track record. A 'legal aid' attorney can be of help for individual problems – evictions, unjust rules, other owner BS, but probably not with an RSO action. If the owner is running the park into the ground, you might consider a 'Failure To Maintain' (FTM) lawsuit. There are law firms to specialize in these FTM lawsuits. Find them on the Internet. But for RSO actions, you want someone skilled with experience (**not** some friend's nephew who got his law degree last year, has some time, and needs clients). You need some real firepower. Check around, search the Internet, call Dave Loop, GSMOL VP for Resident-Owned Communities, ([deloop1@sbcglobal.net](mailto:deloop1@sbcglobal.net), 831-688-1293) and discuss your situation with him.

# ATTACKS ON MOBILEHOME RENT STABILIZATION

What Might Happen (or is Already Happening) to Your Park?

By Deane Sargent

(Continued from page 8)

He may have recommendations. Good attorneys will already be busy and will ultimately want a retainer. Don't pay anything until you and your attorney actually need to fight back. This is also a real good time to seek money from any and all sources, including in the park.

**Next, remember to be proactive.** OK, so you have done all this stuff and **NOTHING** happens. So, do you wait a while, then disband the team and go BBQ with a beer? **NO.** Stay vigilant. Circumstances change, owners mull stuff over, but never go away. So, stay aware and keep on doing what you are doing.

**Finally, think about buying your park** (see article on page 11 of this issue). If you get really tired of this stuff, think about you and your neighbors buying your park. Nothing unites a mobile home park more than a threat of massive rent increases. If you want to talk about buying your park, contact me ([deane.f.sargent@gmail.com](mailto:deane.f.sargent@gmail.com); 415-271-3919) or Dave Loop ([deloop1@sbcglobal.net](mailto:deloop1@sbcglobal.net); 831-688-1293). No cost, no obligation.

Good luck,

Deane



GSMOL and more specifically, The Californian Committee, would like to express our sincere gratitude and appreciation to Deane Sargent for taking time out of his very busy schedule to write this series for GSMOL. To get a PDF of Deane's entire 3-article series, send an email to [TheCalifornian@GSMOL.org](mailto:TheCalifornian@GSMOL.org).

## Expect to save money on your October Electric bill!

Every spring and fall millions of California residents receive a Climate Credit on their electric and natural gas bills identified as the "California Climate Credit." Residents of mobilehome parks qualify for this Credit - including residents who live in a "master metered" park in which your landlord receives the utility bill and passes it on to you. Also, those who qualify for the CARE/ESA or medical baseline discount qualify for the Credit?

The Credit is part of California's efforts to fight climate change and provides ratepayers with their share of the benefits of California's Cap-and-Trade Program. The Cap-and-Trade program requires companies that emit a large amount of greenhouse gases, like power plants, to buy carbon allowances through auctions. Proceeds from those auctions are used for several things, including the Climate Credit. The credit is automatically applied to bills or park invoices and no action is required to receive it. If a customer receives both electricity and gas, they will see credits for both on their park invoice.

The amount you receive is not tied to the amount of energy you use and all residential customers of the same electric utility company will receive an equal amount in credit regardless of their consumption - although the amount of the credit can be different between companies. Companies providing a Credit are: PG&E, SCE, SG&E, Bear Valley, Liberty and Pacific Power. Credits begin at \$55.17. These are "investor-owned" companies. Customers of "public" utilities like the Los Angeles Department of Water and Power or the Sacramento Municipal Utility District do not get the Credit because they are not regulated by the CPUC (California Public Utilities Commission). If your gas/electric charges are on your park invoice and you are NOT receiving these Credits, contact your local GSMOL leader for help. Go to [cpuc.ca.gov/climatecredit/](http://cpuc.ca.gov/climatecredit/) for more information.



# Announcements and Upcoming Events

## **Donation Drive!**

October 1 – 31 (See President's Message on Page 2 of this issue)

## **Membership Meeting**

Saturday, October 19, 10:00 – 11:00 AM. Details will be provided via a separate announcement from the Membership Committee in the coming days.



## **Virtual Townhall with Bruce Stanton**

Saturday, November 9, 10:00 – 11:30 AM.

Bruce will talk about recently passed legislation, issues related to interference with home sales, concluding with a Q&A.

More information will be sent next month.

## **Leadership Roundtable**

Saturday, November 16, 10:00 – 11:30 AM.

All GSMOL leaders, from Chapter leaders up to Zone VPs and other Board members, are invited to the Leaders Roundtable! The Leadership Training Committee will present resources that are available for learning and training new leaders, followed by sharing ideas and issues related to leadership and training. More information in a separate communication next month!



# A Resident Owned Park Success Story

By: David Loop, Vice President of Resident Owned Parks

The editors of the Californian asked me to write an article about resident-owned mobilehome park (MHP) success stories. I have a bunch, but decided to write about the MHP where I live - because I know the details of the Aptos Knoll story so well.

Aptos is a small community of about 7,000, about 9 miles south of Santa Cruz on Highway 1. Aptos Knoll is a 75-space, 55+ MHP, developed in 1970. As of 2024, our residents' nonprofit corporation has owned Aptos Knoll for almost 20 years. By lucky coincidence, I moved into the Park when the resident purchase effort was just beginning.



*Aptos Knolls Mobilehome Park in Aptos, CA.*

## The Ownership Structure

Aptos Knoll is not subdivided - the residents do not own their individual lots. For multiple reasons, subdividing the Park would not have worked (mainly because the lots would have been unaffordable for most residents). Instead, we used the same method most ROPs in California have used. We formed a California nonprofit mutual benefit corporation, "AKMOA." That corporation became the owner of the Park's real estate. Park residents own memberships in AKMOA and elect a volunteer Board of Directors to make AKMOA's business decisions.

## The Purchase Process

Buying the Park involved multiple steps; the purchase process took almost a year to complete. We needed to determine a fair price (market value) for the Park, and then negotiate a sales contract with the Park owner. We needed to find a mortgage lender for

AKMOA (that's challenging when your nonprofit has no assets or business "track record"). Local banks laughed at us (literally) when we asked about financing. We considered seeking a "government" mortgage loan (MPROP) but decided instead to borrow from a commercial multifamily housing lender. This allowed us to avoid the regulatory "strings" that always seem to come with "government" money.

The Park's infrastructure (gas, electric, water and sewer systems, roads, clubhouse, etc.) needed to be inspected. Many other details needed to be attended to.

AKMOA needed to raise capital to fill the gap between the price of the Park and the amount of the mortgage loan (the mortgage loan covered about 90% of the purchase price and costs of sale). We raised capital by selling AKMOA memberships, which required permission from the State of California to qualify the memberships as "securities."

We needed professional help to accomplish these things. We found an experienced MHP resident purchase/financial consultant and a real estate attorney to guide us through the process. Without their help, it's doubtful Aptos Knoll would ever have become resident owned.

## The Park Purchase Deal, Summarized

- ⇒ Sale Price (including costs of sale) \$4,500,000
- ⇒ First Mortgage from Multifamily Lender \$4,050,000
- ⇒ Loan Terms: 90% LTV, Fixed Rate, 5.40 %, 30-year amortization, 10-year term
- ⇒ Membership Price: \$15,000 per household (75 Memberships Offered)
- ⇒ "Share Loans" available to finance 95% of membership price ("750 down")
- ⇒ Participation in Park Purchase = 63 of 75 households (84%)
- ⇒ Non-Participants remained under County RSO
- ⇒ Initial member monthly assessment ("rent" = \$550/month. This amount included everything except charges for gas and electric (residents are billed directly by PG&E for these utilities).



# A Resident Owned Park Success Story (cont.)



*Garden path in Aptos Knolls Mobilehome Park, Aptos, CA.*

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## How Is It Going?

In a word, Good. The condition of the Park (which was excellent to begin with) has become even more so. Many new homes have been installed in the Park (people are more inclined to install a new home if they have a "stake" in the place). Many "70's vintage" homes have been fixed up nicely. Home values have increased steadily and substantially over the years. We refinanced AKMOA's mortgage debt several years ago, and now have a fixed rate, fully amortizing loan at slightly over 3%.

One of the main reasons to buy your park is to keep rents as low as possible, while properly maintaining and operating the park. I'd say AKMOA has done pretty well in this regard. In 2005, at the time of the Park purchase, AKMOA members started paying \$550 a month (under the Santa Cruz County RSO, all residents had been paying \$425 per month). Our current monthly assessment is now \$650 per member household, which strikes me as pretty reasonable after almost 20 years of park ownership.

Are things perfect? I would say "no, but close." Any 75-home community is bound to have occasional "issues." But generally we get along as neighbors and really enjoy the security of life in Aptos Knoll.

What are the odds that your resident group could buy

the MHP where you live? I believe we succeeded for three main reasons:

- (1) Aptos Knoll is in a jurisdiction (county) with MHP rent stabilization. This helped to protect us from predatory investors (who happily overpay for MHPs when they can raise rents at will). The local RSO led to AKMOA being the "best buyer" when Aptos Knoll's owner decided to sell.
- (2) Aptos Knoll was owned by a "small" real estate investor who was willing to deal with us. It would have been much more difficult to get a "big" corporate owner to the negotiating table and to be patient as we worked to get our residents on board.
- (3) Aptos Knoll had a group of business-minded resident leaders who focused on results. This leaders' group worked with our consultants, navigating the complex process of buying a multi-million dollar property (and then operating it responsibly, once AKMOA owned it). I've learned over the years that without resident leadership, MHPs don't become resident-owned.

*If you don't explore the idea buying your park, it's for sure you'll never own it. Like to learn more? Contact me at [deloop1@gmail.com](mailto:deloop1@gmail.com).*



# Homeowners' "First Amendment" Rights

By Bruce Stanton, GSMOL Corporate Counsel

Of all the protections contained within the [Mobilehome Residency Law \(MRL\)](#), perhaps none are more valuable than those found in sections 798.50-52.

I call these sections the "First Amendment" of the MRL, because they contain a number of protections which pertain to the basic right of a manufactured-home owner to communicate with his or her fellow homeowners about mobilehome issues.

Civil Code 798.50 contains a sentence that is critical to understanding the importance of communication to the preservation of the mobilehome lifestyle:

*"It is the intent of the Legislature in enacting this article to ensure that homeowners and residents of mobilehome parks have the right to peacefully assemble and freely communicate with one another and with others with respect to mobilehome living or for social or educational purposes."*

No higher statement of importance could have been given by the California Legislature to these rights. It is clear that the Legislature understood the importance of networking and organizing, and of the ability of homeowners to work together for the common good. Organizing into a GSMOL Chapter, or just being a member of a State organization like GSMOL, can mean the difference between protecting your home investment, or losing it. But in order to fulfill this legislative intent and bring these words to life, homeowners need to put into action those rights which are specifically described in the sections which follow. And homeowners need to know and understand their rights before they put them into practice. Information is power. But that is only the first step. Once the law is known, it then becomes necessary to exercise one's rights in order to enjoy them.

The goal of each mobilehome owner should be to strengthen and protect their investments and way of life. This is accomplished by communication, organizing, assembling and meeting together, walking the park, hearing from those who have knowledge of mobilehome issues, and electing representatives who are committed to protect mobilehome living.

Belonging to a strong organization such as GSMOL which can provide both the necessary information and the way to use it, is essential.

So how can we strengthen GSMOL and GSMOL Chapters? How can we communicate and organize for the betterment of all mobile homeowners? There are a number of guarantees and protected activities set forth in the MRL which are invaluable tools that can be used to build a better mobilehome world. They are illustrated by a number of questions which are frequently asked of GSMOL leaders.

## 1. Does the MRL guarantee the right of homeowners and residents to meet in the park?

Absolutely. 798.51 (a) states that homeowners cannot be prohibited from peacefully meeting in the common area facilities (which must be open or available to all residents pursuant to 798.24) for any lawful purpose, as long as the facility is "not otherwise in use." This means that management cannot flatly deny clubhouse use to homeowners. Some parks might try to disguise their denial by claiming that the clubhouse is already in use, such as where a last-minute "cleaning project" allegedly creates a conflict. If a pattern of denial becomes clear, homeowners should keep a record of such last-minute conflicts, as evidence of the park owner's true intent. Remember that for each willful violation of the MRL a court may order a penalty of up to \$2,000.00 (see 798.86).

## 2. Must the homeowners comply with a rule or regulation that requires a GSMOL meeting to be scheduled or reserved in advance?

Yes, as long as it is not unreasonably enforced and reasonable in scope. It is reasonable for management to require that only one group at a time use the facilities, and to schedule usage at a reasonable time in advance so that all homeowners can enjoy clubhouse availability. It is not reasonable to require 6-months advance notice, or to base approval upon the purpose of the meeting or what will be discussed. GSMOL has successfully taken park owners to court who have violated this provision.





## ***Homeowners' "First Amendment" Rights***

### **3. Can management require liability insurance be obtained as a condition of holding a clubhouse meeting?**

The answer contained in 798.51(c) is clearly "No." This would chill the ability of homeowners who cannot afford insurance policies to meet. The only exception is where alcohol will be served.

### **4. Can management require a cleaning deposit as a condition of holding a clubhouse meeting?**

798.51(b) says that no deposit can be required, regardless of whether guests or visitors attend the meeting, as long as a resident of the park is hosting the meeting and all homeowners are invited. This would not apply to a social gathering where only invited guests intend, such as a private reception.

### **5. Does management have the right to approve the content of a meeting?**

Absolutely not, otherwise the park owner could control the content of meetings.

### **6. Can speakers be invited to meetings?**

798.51(a)(2) protects the right of homeowners to invite any speakers who meet with them with respect to any issues described in 798.50. This would include GSMOL leaders, politicians, law enforcement, the District Attorney or the like.

### **7. Can non-resident guests attend the clubhouse meeting?**

Absolutely, but with two possible conditions:

1. The park can reasonably require that a person attending the meeting who is not a speaker be the invited guest of a park resident. This just means that each non-resident guest should be paired up with a designated sponsoring resident when the guest arrives at the meeting. Many parks have no such condition, but where present it is easy to comply with using this method.
2. Parking regulations must be adhered to, which means that guests must park in designated areas. If none are available, the sponsoring resident would have to allow parking in that resident's carport.

### **8. Can a rule that prohibits "soliciting" be used to deny a GSMOL meeting?**

The answer is "no" since meetings related to mobilehome issues are not commercial in nature. Where the organization solicits dues or contributions, they are typically not commercial in

nature. Thus, a GSMOL meeting cannot be denied based upon the allegation that a non-profit entity such as GSMOL is actually "commercial" in nature. It is not.

### **9. Does a homeowner have the right to walk the park and distribute literature or information, or speak with other homeowners?**

This important right is guaranteed in 798.51(a)(3). Residents may freely walk the park, talk with their neighbors and distribute written literature. They may also hand-carry petitions, or solicit residents to join organizations such as GSMOL. The only limitation is where a resident requests that no literature be left on their space, or that they not be disturbed. In those cases the wishes of the resident to be left alone should be honored. But it is the resident, and not management, who makes this request.

### **10. Can homeowners use the mail tubes or clips to distribute literature?**

The answer depends upon the park's policy. If the mail tubes/clips are installed at the park owner's expense and are limited solely to park owner-initiated communications, then as long as *all* residents and resident groups are equally prohibited from using them, the rule is probably reasonable. In such cases canvassing, leafleting, distributing information or knocking on doors should be used instead. But the park cannot discriminate, and allow only some persons or entities to use the tubes or clips. If some get to use them, then all should be allowed to do so.

### **11. Can a homeowner go to another park where they do not live to speak, distribute literature or talk with residents?**

Absolutely they can. This requires an invitation from a resident of that park according to 798.51(a)(2). Thus, at least one park resident needs to make the invitation and should accompany the guest throughout the park. A park owner can reasonably prevent someone from showing up in the park uninvited and moving throughout the park.

Many tools are available which can be used to organize and strengthen homeowners. GSMOL urges you to read and know your rights, and most importantly to put them into practice. We support your exercise of these "MRL First Amendment" freedoms and you should contact your local GSMOL leader immediately if any of these rights are being denied.

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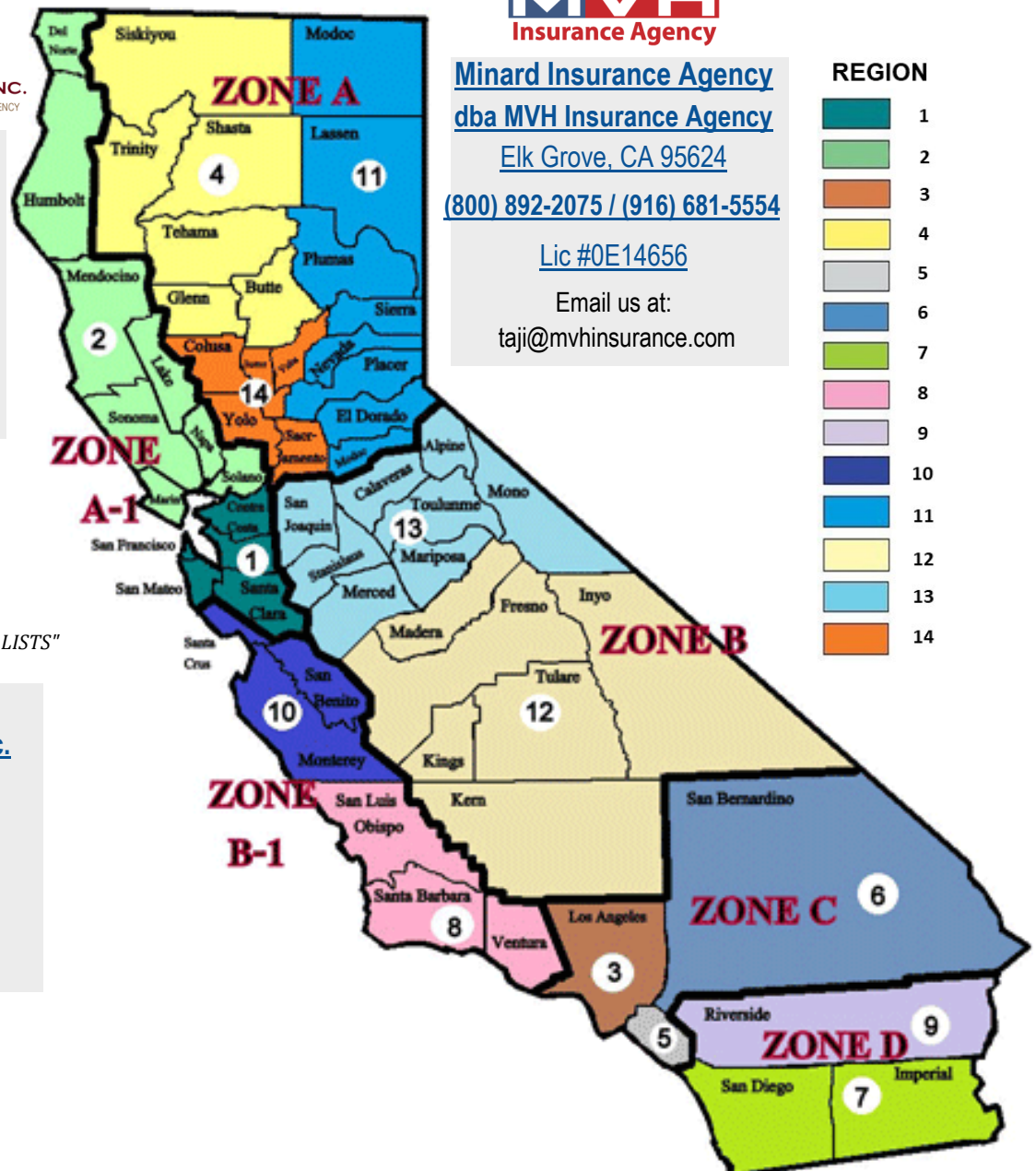


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### REGION 11

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#### REGION MANAGER

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## ZONE B-1

### REGION 8

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## She is a \$4.25 Warrior & a Quiet Hero to 200+ Mobilehome Residents.

It was only \$4.25! A small overcharge! But it was wrong! So, one park resident said NO! She had read the MRL. She knew her rights. And she decided she would stand up for her rights – and, by extension, the rights of over 200 other mobilehome residents in her park. Her weapon was the MRLPP or MRL Protection Program! And she WON!

**Background Story:** The park owner of Orcutt Ranch Mobile Estates in Santa Barbara County was charging each resident who had sub-metered water service, a \$9.00 monthly “water service charge” to read their water meter in addition to the charge for their metered water usage. While it is legal for a park owner to charge a reasonable service fee, the new law said it could not exceed \$4.75! In 2021, GSMOL had sponsored AB1091 which amended MRL Civil Code 798.40 (c)(3) to limit water “service charges” to no more than \$4.75 a month or 25% of a resident’s water consumption charges, whichever was less. Undaunted, her park owner continued to charge \$9.00 and kept pocketing an extra \$10,000+ each year. Perhaps he was hoping no one would notice the overcharge. But he was trying to sneak one by the wrong lady! She knew the law. She knew that the service charge should not exceed \$4.75. Her first line of protest was to send a polite letter to her park manager and owner.

Management responded with a “creative interpretation” of the law claiming the law did not apply to water companies already governed by the CPUC (California Public Utilities Commission); that it only applied to unregulated water companies - *which would mean the law would exempt almost ALL water providers and sub-metered systems from the new requirements.* It was obvious this was not the intent of AB1061. So, she filed her complaint with HCD using the new MRLPP option. No longer was this between just her and the park manager; now the state of California and lawyers were involved!

Over the course of the next year, she was offered various options for settlement. One offer included an individual settlement – for her alone – and came with a pledge of secrecy! She rejected the offers and continued to insist the MRL applied to all Park residents, overcharges should be returned to all

residents, and correct charging should be implemented for everyone!

To clarify park owners’ “creative (mis)interpretation” of the law, GSMOL introduced AB604 in February of 2023. It was a band-aid bill to amend MRL Civil Code 798.40 to make it clear that limitations on charges and fees in connection with sub-metered water systems applied to ALL water purveyors including those subject to regulation by the CPUC.

This legislative clarification was the turning point! Before the bill even became law and was still in the legislative process, her park owner’s lawyers submitted a settlement agreement in May of 2023 that specifically required Park management to abide by the MRL sub-metered water system service charges requirements **and** refunded all overcharges to the residents in her Park **and** eliminated any secrecy clause. With her signature, over 200 people living in Orcutt Ranch Mobile Estates saved (minimally) \$4.25/month or \$51/year – collectively denying the park owner over \$10,000 each year in improper fees. (Note: Although there are 240 spaces in the park, only the 200 spaces that received *sub-metered* water service were affected.) This small, yet significant victory in one park was because one resident knew her rights and was willing to use the law to stand up for her rights and the rights of others also affected.

To quote our hero, *“This process took time, research, and consistency. However, I will not hesitate to turn to the MRLPP if the management here chooses to violate the MRL (or other CA Civil Code) in the future.”* These are the bills that are relevant in this story. All were sponsored by GSMOL. For more details, go to [leginfo.legislature.ca.gov](https://leginfo.ca.gov)

- **AB3066 (Stone) (2018)** created the MRLPP. This is a seminal bill that for the first time provides a process to protect you against violations of the MRL by your park owner. If legal representation becomes necessary, there is no cost to you.
- **AB1061 (Lee & Voepel) (2021)** is the Water Utility bill. It limits the service charge for reading your water meter to \$4.75 or 25% of water consumption, whichever is less. GSMOL sponsored this bill in response to excessive and vague

## She is a \$4.25 Warrior & a Quiet Hero to 200+ Mobilehome Residents.

“service charges” some park owners were imposing on residents to pad their profits.

- **AB604 ( Lee) (2023)** amended Section 798.40 of the Civil Code to make it clear that limitations on charges and fees in connection with sub-metered water systems applied to ALL water purveyors, including those subject to regulation by the CPUC.

### What is the MRLPP?

The MRLPP or MRL Protection Program, created by AB3066 and sponsored/written by GSMOL, was launched mid 2020 to provide an additional avenue to resolve MRL disputes between park residents and park managers/owners by connecting homeowners residing in mobilehome parks with legal resources. You submit your complaint to the California Department of Housing and Community Development (HCD) who administers the program. HCD refers the complaints to the appropriate enforcement agency which potentially includes a non-profit legal service provider (LSP) to assist in the resolution of MRL complaints. There is no charge to the resident for these legal services.

### How Do I Submit an MRLPP Complaint

Complaint forms are available online at [www.hcd.ca.gov](http://www.hcd.ca.gov), by mail, and by phone at (800) 952-8356. Information that will be requested is: 1) proof of mobilehome ownership which can be your Certificate of Title, Registration card, or decal number (which is attached to the outside of your home), 2) the name, address, and phone number of

your Park, and 3) any documents or facts that are relevant to the alleged violations of the MRL.

- To file, you must be a homeowner or on the lease (not a renter) and you must live in the park.
- Complaints must be a violation of the MRL (only) meaning they are a violation of mobilehome landlord-tenant law. Common violations include illegal grounds for eviction, failure to provide proper notice of rent increases, or no written rental agreement between the park and mobilehome owner. The MRLPP does not resolve disputes between neighbors. The MRLPP does not resolve health and safety issues (although HCD’s MAC program should be able to help).

*If you want to know your rights, you need to know the rules which are in the MRL. To download a copy of the MRL, go to [gsmol.org](http://gsmol.org) and click on Resources.*

***If you are having an argument with park management over what you feel are violations of your rights and would like to know if your complaint qualifies under the MRLPP, or you would like assistance to file your complaint, contact your local GSMOL leader. Contact information is on page 16 of this issue.***



**By: Carol Brinkman,  
GSMOL State Secretary**



### MAKE YOUR VOICE HEARD AT THE BALLOT BOX!

Vote for candidates who support mobilehome owners! Find out where the candidates for federal, state, and local offices in your area stand in terms of the issues that affect homeowners in mobilehome parks! If your park has a GSMOL Chapter or other residents’ organization, invite candidates to come to a meeting. Contact Zone B-1 Vice President Jamie Rodriguez at [jaminrod@aol.com](mailto:jaminrod@aol.com) for information on how a Chapter or an organized group of GSMOL members in your area can put on a Candidates Forum! GSMOL Chapters are allowed to endorse the candidates which support homeowners (as long as you use the name of your Chapter in the endorsement). Reach out to your Regional GSMOL Leader or Zone Vice President for details on how to endorse.

# ALLEN, SEMELSBERGER & KAELIN LLP

## LAW FIRM, SAN DIEGO



Allen, Semelsberger & Kaelin and its predecessor firm, Endeman, Lincoln, Turek & Heater have long been recognized as premier attorneys representing owners of mobile/manufactured homes in California. Litigation on behalf of homeowners against *California Hawaiian MHC*, owned by *Equity Lifestyle Properties* and *Terrace View Mobile Home Estates*, owned by *Tatum and Kaplan Financial Group*, led to some of the highest court judgments in the history of manufactured housing.

To contact us call (619) 544-0123 or visit our website at [www.asklawgroup.com](http://www.asklawgroup.com).