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Our WEBSITE: www.comocal.org

Mobilehome Magazine Address: P.O. Box 3774, Chatsworth, CA 91313

Frank A. Wodley, Editor/Publisher

Phone: (818) 886-6479 / E-MAIL: fawodley@yahoo.com

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From The COMO-CAL Board of Directors

MANAGER TRAINING & CERTIFICATION

This month we continue our articles on manager training and certification. COMO-CAL is very concerned the Senate Select Committee on Manufactured Home Communities (SSCMHC) and GSMOL are misleading mh owners. Both seem to want you to accept their plan to train and license managers, although it doesn't resolve the issue at hand, i.e. it doesn't stop manager abuse. To stop abuse, a viable means of enforcement is required, i.e. some consequence, fine or sanction, if laws or codes are broken.

In the following pages (4 - 9) we present our arguments to legislate a viable means of enforcement first, before we legislate manager training. We are not the only one that support this argument. Here are several examples:

- Residents taking our recent survey agree. By the way, the surveys are still open, so please express your opinion before reading further - we want your unbiased opinion. (Part I at <https://www.surveymonkey.com/r/2PTG98G>, and Part II at <https://www.surveymonkey.com/r/K92J659>)
- Donna Matthews, in 2004 stated: *another law that we can't enforce will not help*
- Senator Craven said: *'You can't legislate personalities, i.e. make managers friendly.'*
- Gus Colgain, *'make the person who gets the profit responsible, i.e. the park owners*
- Dick Bessire: *manager training and certification is not the answer.*
- Katherine Borg: *Training and Licensing is not the most important thing (we can do).*

NATIONAL MOBILEHOME OWNERS ASSOCIATION (NMHOA)

COMO-CAL has rejoined the NMHOA and our President Ken Meng, Secretary Sam Meng and V.P. Paul Masminster all attended the recent NMHOA Conference in Las Vegas. Tim Sheahan, President of NMHOA and Zone D Vice President of GSMOL, welcomed everyone. See pages 10-13.

CONDITIONAL USE PERMIT

COMO-CAL feels the CUP can be a means to provide park residents with some enforcement. Example, the county of Los Angeles just held their first hearing on the Conditional Use permit for Ken Meng's park in Rowland Heights. Another hearing will be held this month (November). Read about this on pages 14-15.

MHPHOA

The website MHPHOA contains a wealth of information, especially on Kort and Scott (park owners) and Sierra Management (management company). Go to <https://mhphoa.com/> and look around. You won't be sorry you did.



Rebuttal of Senate Select Committee's Recommendations

THE CURRENT SENATE SELECT COMMITTEE'S RECOMMENDATION WON'T WORK

No one can question the Senate Select Committee's conclusion that there is a need for consumer (mobile/manufactured home owner) protection. All of the constituent problems and complaints provided in the pre-Hearing document are real and have been causing residents considerable stress, and financial hardship for decades. We should not allow this to continue a minute longer.

The idea that manager training and certification will resolve the decades long issue of park management problems is wishful thinking and sends the wrong message. Legislating manager training and certification does have a benefit, but it will not deter bad behavior and lawlessness, i.e. it will not resolve management problems. There must be deterrents. There must be enforcement. Park owners must face appropriate fines or sanctions if anything is to change. In the case of a manager interfering with the sale of a home, the fine should be several times the financial loss of the homeowner, i.e. if a homeowner loses a home valued at \$100,000, the fine should be at least \$300,000!

Many of the 'problems' listed require resident training.

Residents need to understand the difference between the actual law and laws made-up by park managers. And they need to know their rights and where they can turn for help. COMO-CAL has a proven record of taking calls and providing assistance. We should be part of any future program.

EARLIER LEGISLATION WOULDN'T HAVE WORKED

Earlier proposed legislation would require training

on Title 25, the MRL, and not much more. In effect, it would not have resolved the manager abuse problem primarily because there was essentially no enforcement.

Assembly Bill 1469 (Negrete-McLeod; 2005) would have required an onsite manager to complete an educational program approved by HCD; would have required compliance; and would have authorized the department to assess a civil penalty against an owner. AB 1469 was vetoed by the Governor.

Unfortunately, the 'penalty' under AB 1469 was only \$500, hardly enough for a park owner to even consider it as a threat to his 'illegal' practices. In a way, this legislation would have given park owners carte blanche, i.e. it actually allows them to continue the abuse with little or no consequences.

The same can be said of enforcement via small claims court. A \$2,000 penalty is hardly sufficient deterrent for an unscrupulous park owner who wants to break the law for financial gain.

OREGON AND NEVADA STATE PROGRAMS DON'T CURTAIL MANAGER ABUSE

The Committee recommends California consider joining Nevada and Oregon by instituting a similar professional training program. We disagree.

According to Ken Pryor, Program Coordinator, Oregon Housing & Community Services, Manufactured Communities Resource Center, the Oregon program is very weak and there is no enforcement. Abuses have not stopped in Oregon.

We asked Rita Loberger, the State VP for Manufactured Housing / Oregon State Tenants Association (MH/

OSTA) if their program of manager training and certification worked to stop abuses by managers. Here is her response:

Honest opinion BEFORE coffee is NO. You can't train common sense. The amount of time (4 hours every two years) - I tell folks I can talk longer than that. Most managers come from the apartment industry which in NO way prepares them for the homeowner status we have.

Ken Pryor, and I work together a lot. We can and do hear both sides of the picture.

While I am not trained in management, with NO desire to be, managers and owners need sensitivity training. There is no middle ground. The EGO kicks in and the greed appears.

Oregon laws can and are very explicit, but owners and managers can twist or make up the missing or loophole laws. The phrase I hear most is: "It's my land and I'll do with it as I please". IF the homeowners are not well aware of their rights (many first timers here) they get run over with the attitudes of these self-appointed dictators.

We also asked Doris Green, past president of NMHA. In her opinion managers in many parks in Nevada are abusive, even though their program has been in place many years. She also indicated that NMHA, under her leadership, helped expose much abuse. However NMHA is a much weaker organization today than it was even five years ago.

THE WMA TRAINING AND CERTIFICATION PROGRAM DOESN'T STOP ABUSE

The SSCMHC in paragraph 3, page 1 essentially implies it is managers in non-WMA parks who are abusive. They write the WMA has an 'effective manager education and certification program.' So does their program really work to curb manager abuse? Our answer: ABSOLUTELY NOT. As an example, one park owner belongs to the WMA, i.e. his park manager is probably trained by the WMA. However, 80% of the managers have been abusive. In 2004, as a GSMOL chapter president and member of the L.A. Task force, Frank was very concerned about such abuse. It was recommended at one Task Force meeting that he approach David Evans, WMA Southern Regional Rep. Frank wrote him a multi-page letter



detailed issues in my park. So what did he do? NOTHING. The WMA does NOTHING, even though they may be alerted to an abusive manager. And beyond that, the WMA represent Frank's letter to the park manager, who responded with the usual rhetoric (perhaps written by their attorney or WMA rep) to indicate that Frank's concerns had no foundation.

Their response is not shocking, after all, their focus is supporting the park owner in his efforts to make more and more money off park homeowners. When a park owner violates the law, he can make hundreds of thousands of dollars more a year. That certainly is a big incentive when abusive managers assist in that effort.

WE ARE ALL RESPONSIBLE FOR ABUSIVE MANAGERS

We are all responsible for abusive managers:

a) Abuse starts with the park owner and is often motivated by financial gain. We believe park owners condone or even encourage manager bad behavior because there is no downside and perhaps considerable upside as financial gain.

b) Mobilehome owners are very responsible because they have not united, worked together or demanded solutions to the problem. Mobilehome owners should realize that they must take an active role in any resolution of issues effecting them. No one will do it for them!

c) Advocates, like GSMOL, are also responsible. In 1987, there was a Senate Select Committee Hearing on Enforcement. At that time GSMOL had about 100,000 members and an annual revenue of \$1,500,000. GSMOL was powerful and able to accomplish much. They testified that hiring an attorney and going to court didn't work, yet today they continue to promote the same system of enforcement. We have NO IDEA why.

d) The Senate Select Committee on Manufactured Housing Communities is less responsible. They are neutral, their primary responsibility is to educate. And their leadership changes quite often.

COMO-CAL's Ideas



EXAMPLES OF TRAINING, CERTIFICATION AND ENFORCEMENT THAT WORK

Case in point, driving a vehicle is a privilege. One must study the traffic laws and pass a written exam to demonstrate their competence. They may also take a driving course and practice to refine their driving skills. Here again, there is a driving test to assess their competency. Knowledge of the law and subsequent certification however does not guarantee compliance. There must be consequences to bad behavior or lawlessness. There must be deterrents. Only then will there be compliance.

The education, certification and enforcement of Contractors and Real Estate Agents are two other examples.

GOOD CUSTOMER SERVICE IN RENTAL PARKS IS VITAL

Most business owners realize just how important good customer service is for the overall health of their business. Good customer service isn't just important... it's absolutely vital. That is Business 101. Employees who are not meeting that standard are either retrained (given skills necessary to provide good customer service) or fired. Consumers demand good customer service, or they will take their business somewhere else. Successful business owners work hard to promote good customer service.

Can you even think of one business that does not require good customer service to be successful? I can! That business is the mobile/manufactured home park business. Only in this industry is bad customer service rewarded. But how can that be? It is because park owners have been allowed to benefit financially by breaking the law and abusing their customers. It's really incredible that this has gone on unabated for so many decades.

Mobilehome owners are consumers, and they should be protected just like any other consumer. They should be provided good customer service. Bad customer service exists in many, perhaps most parks. However, unlike other consumers, mobilehome owners do not have the option of simply taking their business elsewhere. They can't pick up their homes to escape the bad customer service. Their only recourse is to hire an attorney and litigate. And we all have known for decades this does not work, on many levels. Yet the Senate Select Committee and most advocates promote this form of enforcement.

The industry should demand park managers provide good customer service. A manager providing bad customer service reflects on the whole industry.

Perhaps incorporate the WMA Code of Ethics (which is just a fronta bad joke). Remember, the WMA only ran interference for my park manager.

IT IS NOT ENOUGH TO JUST TRAIN MANAGERS

At least five entities are involved in the rental mobilehome park industry: the park owner, the park onsite manager, the homeowner, advocates, and the State of California. Each needs to know his/her responsibilities. Of course, park managers should have a more in depth understanding of the law because they are using it every day. Their training should also include training in Ethics, common sense, and customer service. A good, effective advocate must also learn the law to be able to assist homeowners. And homeowners need a basic understanding of the law so they can differentiate what is law and what is not law, as managers often make up laws on the fly.

TRAINING SUGGESTIONS

Manager training should include:

1. Every manager should have a good understanding of important laws, including the Mobilehome Residency Law and Title 25. However, no one can know everything, that's why it is important for managers to have the skills to research and find answers. The role of park attorneys should be to assist managers and owners on questions of law, rather than be used by park owners as a hired gun to abuse and take advantage of residents.
2. Park managers should be taught to serve residents and investors (owners) equally. The WMA Code of Ethics is a good place to start. Here are a couple of lines from their Code of Ethics:

- The responsibility of management is to serve the needs of the community, and to provide safe and well-maintained common areas and community services. Mutual respect and concern are the governing principles of management-resident relations.
- Management pledges to enforce rules and regulations in an equitable and forthright manner.
- Management pledges to be available to residents, to be receptive to their constructive suggestions and to provide factual information.
- Management pledges that residents shall be free of worry of arbitrary or unlawful termination of tenancy.
- Management further pledges to operate the community in a manner consistent with established business practices and procedures which assure long-term economic stability for residents and investors.
- Both park owners and park managers should be aware that the following are against the law and when they are violated, there are consequences:
 1. Abuse is against the law.
 2. Harassment is against the law.
 3. Intimidation is against the law
 4. Retaliation is against the law
 5. Interference of sales is against the law (the law must be modified so that is clear what a manager can do to disqualify a buyer...)

PARK OWNERS SHOULD BE SANCTIONED

In our opinion, the park owner should be held responsible for abuse, not the manager. The manager is only a puppet. And it should be up to the owner to have the expertise and knowledge to run his park. After all parks usually retain attorneys as consultants, and those who are members of the WMA can also consult with their staff. Also the SSCMHC is an excellent source when park owners and managers have questions.

ENFORCEMENT IS CRITICAL

Although enforcement is mentioned several times in the pre-Hearing document, nowhere are there any details on what or who would be enforced or how it would be done and the final recommendation does not include enforcement. In my opinion, the Committee has left out the key part of any successful plan to stop manager abuse. Training and certification by themselves accomplish very little.

WMA CODE OF ETHICS

We feel the WMA Code of Ethics is a good starting place for manager responsibilities:

The residents of mobilehome/manufactured housing communities, as homeowners, can expect recognition of their rights to privacy, respect, courtesy and dignity. The responsibility of management is to serve the needs of the community, and to provide safe and well-maintained common areas and community services. Mutual respect and concern are the governing principles of management-resident relations.

In order to provide for responsible relationships between resident and resident, and between residents and management, and to protect the investment of residents and management, reasonable rules and regulations shall be established in writing and be available to all residents. Management pledges to enforce rules and regulations in an equitable and forthright manner.

Communications are essential to all interpersonal relations and to the successful operation of all businesses. Management pledges to be available to residents, to be receptive to their constructive suggestions and to provide factual information.

Contentment, security and peace of mind are the desires of residents and the goals of management. To this end, management pledges that residents shall be free of worry of arbitrary or unlawful termination of tenancy. Management further pledges to operate the community in a manner consistent with established business practices and procedures which assure long-term economic stability for residents and investors.

Management recognizes its business responsibilities to the community, state and the Western Manufactured Housing Communities Association, and pledges full support of those laws and activities which encourage the growth of manufactured housing community living and the Association.

HOMEOWNER BILL OF RIGHTS

The 10 point Bill of Rights explains many rights and responsibilities of residents and park managers. It should be included in any training program. Submitted this 16th day of September, 2016 by the COMO-CAL Board of Directors Ken Meng, President; Sam Meng, Treasurer; Rose Rosales, Secretary; Paul Masminster, Vice President; Frank The Wodley, Founder and Past President

COMO-CAL CONTACT INFORMATION

Address: P. O. Box 1852, Walnut, CA 91788

Email: kenjmeng@gmail.com

Email: ssmeng951@gmail.com

Phone: 800-929-6061 /

Website: comocal.org

Help Line: 818-886-6479



COMO-CAL's Suggestions Legislate a Viable Means of Enforcement First

1. We feel the Senate Select Committee needs to examine their priorities. Additional legislation will do nothing without a viable form of enforcement. Homeowners need an alternate to hiring an attorney and going to court. The SSCMHC held a Hearing on this very subject thirty years ago. At that time, advocates testified a) Few attorneys really understand 'mobilehome' law, b) Few homeowners can afford the thousands of dollars necessary to litigate, c) Homeowners don't have the time for protracted litigation, d) Homeowners are often seniors and e) The courts often are not well versed on 'mobilehome' law. Under the present form of enforcement, the cards are stacked against homeowners.

2. We suggest the number one priority of the Committee and the State Legislature should be Enforcement of the Civil Code, rather than manager training. COMO-CAL would welcome a Hearing on Enforcement in the near future.

3. One example of an enforcement alternative is the Manufactured Housing Dispute Resolution Program (MHDRP) of Washington State. This Program does provide some enforcement for Civil Code violations, at a minimal cost to residents (\$5/year). And it works. Both park owners and residents can submit complaints to the Program, which, in turn, investigates and levies fines as necessary. We question why there hasn't been a stronger push to pass similar legislation in California. Could it be that attorneys don't want it? We think that's really a possibility.

MANAGER TRAINING AND CERTIFICATION CAN FOLLOW

1. With enforcement, manager training and certification makes sense.
2. Advocates for residents (GSMOL, COMO-CAL, and others) can play a significant role in enforcement.

- They can alert managers and owners when they feel a law is being broken.
- They can present the law, as written, and their interpretation, via an attorney.
- They can continue to educate mobile/manufactured owners as to their rights
- They can suggest modifications to existing laws that would help protect residents
- They can expose unscrupulous park owners and managers, hopefully to a state body which will investigate and levy fines if park owners are violating the law.

3. The 10 point Bill of Rights already explains many rights and responsibilities of residents and park managers. It should be included in any training program.

4. The WMA should promote and enforce their own Code of Ethics.

5. We suggest developing a Code of Ethics for park managers, in order to promote commonly accepted practices of good customer service.

6. We suggest a committee of advocates and state representatives be formed to study this issue in depth, rather than simply having a hearing which often accomplishes nothing and gets swept under the rug soon after it is held. We suggest the committee submit their findings to the SSCMHC. GSMOL and COMO-CAL can 'take the pulse' of the homeowner community and advise them.

7. We will continue to speak out for resident's rights. Enforcement is the key and our Suveys confirm this. So please support our efforts to push for legislation, perhaps similar to the Washington State Alternate Dispute Resolution Program under which all residents can file a complaint to the State Attorney General. Cost: only \$5/year!

A Call To Action - Get Involved!

Have you ever experienced manager abuse? It comes in many forms, including intimidation, harassment, retaliation, unequal enforcement of rules and regulations, a closed clubhouse, illegal towing of vehicles, unwarranted notices, general unprofessional behavior, etc. This list goes on and on.

We (the board of COMO-CAL) have experienced years of abuse ourselves. We know what it is like and it has caused us stress and heartache. Some of you are lucky enough to have a benevolent park owner and manager. You are lucky you haven't experienced manager abuse.

Some only experience abuse when they try to sell their home and the manager finds reason after reason not to approve a buyer or makes unreasonable demands that you improve your home. Others only experience it when their park is sold and the new owner is unscrupulous. It can happen to anyone!

ISN'T IT TIME?

Manager abuse has existed for decades. Advocates have discussed the issue ad nauseum, and the SSCMHC has held hearings, yet, to date, little has been done to solve the issue. Don't you think, as we do, the time has come to finally find a solution? Don't we owe it to our heirs and those owning mobile/manufactured homes in the future?

ANY RESOLUTION REQUIRES ACTION

You are the key to any resolution. Without your support, advocates, like GSMOL & COMO-CAL, might as well go fishing. Any resolution requires work, and work requires time and money. Whether it be some sort of legislation or code or ethics or guidelines. And we can't do our work without your support, i.e. the support of the mobilehome community. For example, legislation requires residents to send yellow cards to their representatives in Sacramento. We've been through this countless times in the past and any successful effort is a community wide effort. There is strength in numbers. Numbers mean **you are participating** and contributing to the cause.

COMMUNICATION, EDUCATION & UNITY

Sure, COMO-CAL doesn't come to your park in person and hold meetings. And no, we don't entertain. However we do reach tens of thousands of mobile/manufactured homes every month via the magazine. And we are available by phone, Skype or ooVoo. We are proud that you can call us 7 days a week and reach a real person knowledgeable on mobilehome issues. Who else provides this service?

We have a 12 year history providing honest, accurate information to the community. Our website has over 500 articles and displays five years of magazines. We are a wealth of information and knowledge. We have promoted unity, education and communication - three important aspects of any successful advocacy. We are not political and have promoted teamwork.

A TIME TO MAKE A DECISION

Now the mh community, is at a crossroads. There is a serious issue facing us all and you have to decide whether or not you really want it resolved. You have to decide whether or not you really think it can be resolved and whether or not you are willing to support us.

We at COMO-CAL already know we want a solution. And we have a path. But you are the key. Our hands are tied without your support. And yes, without your support we might as well go fishing. We are wasting our own time and money fighting a lost cause.

But we wouldn't have kept fighting if we truly didn't want your life to be better. We're not doing this for ourselves. We really want to help **YOU!** Will you let us help you?

WHO DO YOU TRUST?

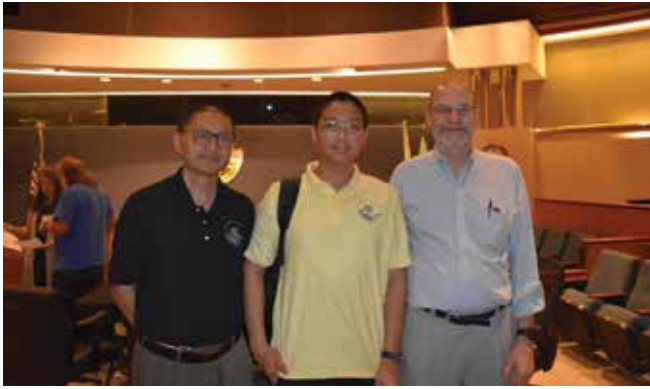
The issue of trust is very important in the upcoming presidential election. The same applies today, right now here in California. Do you trust us to lead you to a resolution of the problem of manager abuse? Have we done our homework and presented facts to support our case? Have others done their homework? Or do they have an underlying agenda?

To us, the decision is clear. We have no hidden agenda. We only want to serve you and make your life better.

HOW CAN YOU SUPPORT US?

You can support us through your action.

- Do not put the magazine down and forget the issue.
- Do decide you want to support our efforts
- Tell us you support our plan. Call, write or email us.
- Take our Survey - in the October issue
- Join COMO-CAL for \$25/year. Give us a chance. If after one year you are not satisfied, don't renew.
- If you can't afford \$25, send half now and half later.
- Or make a donation. Even \$5 helps!
- Or send no money. Volunteer some of your time. There are many things you can do to help the cause.



COMO-CAL Rejoins the National Group (NMHOA)

COMO-CAL has been a member on and off of the national group, now called National Mobilehome Owners Association. <http://www.nmhoa.org/>

The mission of the National Manufactured Home Owners Association (NMHOA) is to promote, represent, preserve, and enhance the rights and interests of manufactured home-owners throughout the United States.

MESSAGE FROM THE NMHOA PRESIDENT

Welcome to our NMHOA website - we hope you find it helpful and interesting!

NMHOA is governed by people like you, who own homes in manufactured home communities. We understand the precarious nature of owning a home on someone else's land and the value of solidarity in protecting our rights, whether in an individual community or in uniting homeowners from across the country. We maintain a direct communication network among state homeowner advocacy groups and serve as your voice at the national level, with the help of several powerful partner organizations who support our mission.

Last year, our Board of Directors adopted the slogan, "Fighting for Home/Land Security and Equity for All", which we feel encapsulates the challenges we often face in manufactured home communities. Using the term "Home/Land Security" refers to our goal of ensuring that conditions don't dramatically change for vulnerable homeowners after investing in their communities. Whether due to threat of unfair conversion from "senior" status to all-age, unfair eviction or loss of homes due to closure of communities, homeowners deserve peace of mind and security in knowing they will have the opportunity to "age in place" rather than being displaced. In some respects, there is also a parallel meaning to the

better-known term "homeland security" in that many of our counterparts are unfairly subjected to insidious forms of economic and psychological terrorism by community owners and managers, which can take a devastating toll on one's health and well-being. "Equity For All" reflects our feeling that a partnership exists between homeowners and land owners in manufactured home communities and homeowners deserve to have the equity in their investments protected and to be treated equitably.

I'm pleased to report that NMHOA's educational E-blast series, "i'mPOWERED!" is growing in coverage and value. It is a continuing series of informational messages that aim to better educate homeowners so they will feel empowered to stand up for their rights when necessary. This series is largely intended for those homeowners who are willing to "draw and line in the sand" rather than "bury their head in the sand" when faced with adversity. As they say, "Knowledge is Power" and "i'mPOWERED!" helps homeowners become more empowered through greater knowledge, confidence and the opportunity to network with others. We include features on a wide range of topics, from how to operate effective homeowner associations to reducing safety hazards in your home. Look for the link to "i'mPOWERED!" elsewhere on this website. We also have monthly E-blast news bulletins and a quarterly newsletter to keep members informed.

One of the priorities set by our Board is a commitment to outreach and support of state manufactured home owner associations. Strong connections with state associations is part of NMHOA's "DNA" and continues to be a vital means of serving individual homeowners. We are fortunate to have a paid Executive Director, Dave Anderson, who is a nationally recognized authority on manufactured housing issues, to coordinate outreach to affiliate organizations.

Yours in solidarity, Tim Sheahan, NMHOA President



NMHOA Welcomes Convention Attendees

On behalf of the NM HOA Board of Directors and Executive Director Dave Anderson, I want to welcome you to Henderson, Nevada and our 2016 convention. Use this program booklet as reference for our convention agenda and as a resource of information after you return home. We hope you find the sessions valuable, as well as other opportunities to share knowledge with fellow advocates from across the country. Unlike the famous slogan applied to visitors to Las Vegas, we certainly do NOT want what happens in Henderson to stay in Henderson--spread your knowledge to help benefit MH owners in your state and across the country!

This year's theme, "EDUCATING -ADVOCATING- OUR HOMES ARE HOMES WITH A FUTURE", is a reminder that a goal of our convention is to educate leaders to be more effective ambassadors and advocates in promoting and preserving manufactured housing. With this being a presidential election year, there are special opportunities to educate the general public and influence the thinking of political candidates who might well be in positions of power for years to come. We need to seek and exploit those opportunities. It's ironic we continue to face negative stigmas and stereotypes associated with our way of life,

yet the "tiny home" movement has been embraced as chic and revolutionary! We need that mindset applied to our manufactured home communities!

Thank YOU for participating in our convention--your involvement will make the experience more meaningful for all of us. I also want to thank our presenters, sponsors, volunteers and Nevada Association of Manufactured Homeowners (NAMH), each of whom have helped make the convention a success. Thanks also to all of our members, state association affiliates and national partners for their role in expanding the depth and breadth of NMHOA's influence and effectiveness.

Finally, I want to thank our Board of Directors for their extraordinary service and sacrifice to NMHOA. Virtually all of them also have volunteer responsibilities in other MH advocacy groups, which can be even more time-consuming than NM HOA, yet they remain committed to NMHOA's important mission. And, I want to give a special thank you to our convention committee; Dave Anderson, Marjory Gilsrud, Claudia Frost and DeAnna Mireau.

Yours in solidarity, Tim Sheahan President, NMHOA



NMHOA Leaders

Dave Anderson has been the Executive Director of the National Manufactured Home Owners Association (NMHOA) since July, 2016. Prior to this, Dave was Executive Director of All Parks Alliance for Change (APAC), the statewide association representing Minnesota's manufactured home owners. With APAC from 2004 to 2016, he lobbied to establish the Manufactured Home Relocation Trust Fund, organized manufactured home owners to improve and protect their communities, and produced organizing manuals and consumer guides. He will continue to assist APAC as a Senior Advisor & Management Consultant.

Dave has worked in the nonprofit sector for 25 years. He previously served as executive director of the Minnesota Public Interest Research Group (MPIRG), interim executive director of the Minnesota State University Student Association (MS USA), and associate state director of the Minnesota Senior Federation. In addition, he holds a Master of Public Affairs from the University of Minnesota's Humphrey School of Public Affairs, and is pursuing a Doctorate of Leadership from the University of St. Thomas.

This is not Dave's first experience with NMHOA. Beginning in 2007, he spearheaded an effort to strengthen and expand the organization. He obtained NMHOA's first grant funding and provided its first staffing in 2008 and 2009 through a contract between NM HOA and APAC.

As NMHOA'S Executive Director, Dave provides guidance, training and support to the organization's leaders and coordinates policy advocacy with national partners.

Tim Sheahan is NMHOA's president. He was born and raised near Spokane, Washington and in 1995 moved from the Los Angeles area to Villa Vista Estates in San Marcos. In 1996 he became involved in homeowner advocacy; initially as Vice President and then President of his community homeowner association and subsequently as President of the San Marcos Manufactured home Residents Association (SMMRA) from 1997-2000. Those experiences led to considerable involvement with the statewide advocacy group, Golden State Manufactured-home Owners League (GS MOL), for which Tim served as President from 2006-2010. In 2005, he represented his Congressional District as a delegate to the White House Conference on Aging.

Tim currently serves as Vice President of Government Affairs for SMMRA, Zone D Vice President for GSMOL and was named President of National Manufactured Home Owners Association (NMHOA) in March 2014, after serving on its Board for a dozen years. He is also a consumer representative to the HUD Manufactured Housing Consensus Committee (MHCC) in Washington, D.C. Since 1996, Tim has volunteered over 45,000 hours on behalf of mobile/manufactured home owners.

NMHOA Conference Insights by Sam Meng

In September, 2016, COMO-CAL president, Ken Meng; vice president, Paul Masminster; and treasurer, Sam Meng, attended the National Manufactured Home Owners Association conference, representing California with GSMOL. The conference has definitely opened our eyes on one thing: That the issues California residents faced is really similar to most other states. However, we have found that the methodology of resolving these issues vary between states and that we can learn from each other to see what does and does not work. Some highlights we have learned from the conference include federal policies that can be influenced to benefit mobilehome owners, other laws that can be introduced in the state, and different ways where residents can unite together to protect their rights.

Many residents who are unfamiliar with how the government works often turn to different federal agencies or elected officials to have their issues resolved even though the federal government's power in mobilehome parks is very limited. As the US Constitution limits the powers of congress in directly regulating mobilehome parks, the federal government still can affect mobilehome parks by its power to regulate interstate commerce and determine where federal money can go to. An example of this is the government's funding to Fannie Mae and Freddie Mac being determined on the conditions they imposed on park owners who mortgaged through them. Fannie Mae/Freddie Mac would need to require park owners to follow certain rules such as preserving resident's right to sell the home in place, require one year renewable leases, and a grace period for residents to cure the rent.

We also discussed many different laws that were enacted in different states that were effective in protecting the homeowner's rights. Florida has a law that requires training of the board of an association representing residents in the park. This law not only educates the resident's association, but also requires the park owner to recognize the association and communicate with it. Regarding the rent, different states have statutory laws which requires the park owner

to justify their rent increases after a complaint filed by residents. Minnesota has a statute requiring rent increases to be reasonable, allowing residents to bring this issue up to a court of law to determine whether the rent is reasonable. California instead depends on the local government to institute rent control and doesn't protect the municipalities from expensive lawsuits of the park owner.

Lastly, the importance of political involvement of residents to ensure their rights are protected was stressed in an presentation at the convention. Politicians will hear communities that are vocal during elections, and may be willing to help just by residents asking them. Unfortunately, others may require patience and education. When elected officials know that a mobilehome park can have enough votes to influence the election, they will become more opened to residents. If residents have a city council member or state legislator that support them, it will help tremendously to have mobilehome resident friendly laws to pass.

COMO-CAL not only have gained insight, but relationships with other statewide groups also. Paul Masminster, our vice president, is now a NMHOA board member. We also met up with groups from Arizona, Nevada, Washington, Florida, etc., exchanging contact information, and also had recorded the whole NMHOA session. Visit www.comocal.org in the future to watch the uploaded videos.

Overall, COMO-CAL joining NMHOA and attending its annual conference is very worthwhile and enlightening. These events show the importance of unity and solidarity of mobilehome residents in the whole nation. Without communication, there would be no unity, and without unity, no power of residents to protect themselves. This is why COMO-CAL is interested in creating a radio station broadcasting to all mobilehome residents in America. Spreading of information is powerful, especially if it is received by people that will do something with it. The question at hand now is: What are you going to do with it?

Paul Masminster, V.P. COMO-CAL Elected to NMHOA BOD

Paul Masminster, COMO-CAL's Vice President, was elected to the NMHOA Board of Directors as a V.P. at at large. Paul wants to take a more active role in the national group. Good job Paul.

Paul will be attending various meetings for the Board of Directors of the national group, the first coming up in Texas. Paul's participation will



bolster our outreach to other states and provide us ideas we can implement here in California.

We will report Paul's efforts in future editions of both MH Life Magazine and COMO-CAL's The Connection. You can reach Paul through Mobilehome Magazine (fawodley@yahoo.com/ 818-886-6479).



Redressing Grievances Through a Conditional Use Permit (CUP) Hearing by Sam Meng

Long time readers of this magazine have seen the stories about events in Rowland Heights Mobile Estates, and the different ways our 1441 Manufactured-Home Residents Association, the residents' association in the park, works to unite residents to overcome oppression. The many actions residents have taken has led to an unexpected consequence: Los Angeles County discovered our park has not operated with a Conditional Use Permit (CUP) for almost 20 years!

I was surprised when I received a notice of a hearing, in the mail, stating that the park owners of Rowland Heights Mobile Estates were applying for a Conditional Use Permit (CUP) to operate the park. Because we are the residents' association and have complained of not being notified of CUP applications, we were the only household to receive it. No other residents were notified even though the park routinely passes out other types of notices using the mailing tubes. This shows us our park owner is reluctant to have residents attend this hearing.

Although one who owns the land has the rights to it, certain businesses are required to apply for a CUP to operate, for example mobilehome parks, beer and wine sale, cell phone towers, medical buildings, etc. This way the County can impose special conditions to ensure the use is compatible with others in proximity with the business.

A permit to operate, under conditions, is set by the local agencies. The Los Angeles County Regional Planning Department states:

“Major issues involved with the evaluation of CUP requests include consistency with the General Plan; compatibility with surrounding land uses; conditions to ensure compatibility; land suitability and physical constraints; project design; availability of adequate access, public services, and facilities to serve the development; and potential environmental impacts and

mitigation measures.”

According to L.A. County Code of Ordinances, a mobilehome park is required to have a CUP to operate under certain zonings, such as residential (R3) and commercial (C3). Most other municipalities should also require some kind of CUP as mobilehome parks are really unique and different from the typical residential zoning, unless the park is in a special mobilehome park zoning. L.A. County has a list of conditions that must be included in the CUP, with certain exceptions. An interesting condition is as follows:

Renewals. When a mobilehome park, which is constituted only of spaces rented to mobilehomes, has not incurred excessive rent increases and is in substantial compliance with all of the conditions of approval, the permit, at the request of the property owner and upon investigation and verification by the director, may be extended for additional periods of time; each extension shall not exceed five years. Excessive rent increases shall be determined by the Los Angeles County mediation panels, mandatory groups established to formulate nonbinding resolutions to rental disputes (LA County Ordinance 22.52.500 L).

Although L.A. County currently has no active rent stabilization ordinance for mobilehome residents, it does have this interesting provision to be put on any new CUPs for mobilehome parks, requiring mediation to rental disputes upon renewal of the CUP. There are also many other requirements that the county can add at their discretion. They can also consider public comments as long as it isn't overreaching.

Due to the constraint on the length of this article, I won't go through the challenges residents have faced to prepare for the hearing. Instead I will focus on what we have accomplished at the last hearing. We will report on the second hearing, which will be held on November 15, in the

December magazine.

The hearing was continued to November 15 because our park owners were disputing the necessity of the parking requirements. So coming into the hearing, residents already knew it won't finish on October 4. Over 70 residents attended the meeting which surprised the hearing officers. They weren't used to seeing such a big response to a hearing issue. This led to a strict restriction of time, and residents were not allowed sufficient time to present their concerns to the hearing officer. Nevertheless, after hearing many residents testify about the rent, internet service, management issues, parking issues, etc., the hearing officer called up the park owners for rebuttal. The park owners insisted on not being subject to the county's conditions, stating that the issues raised are under the jurisdiction of HCD, not the county's. They wanted to speak further, but the hearing officer cut in, telling them that they are running a business, and she is concerned that although the park claimed 90% of residents are Asians, the park has no staff or any accommodation for them. Also, she stated that it is obvious that the park owner has not communicating well with the residents. Therefore, the hearing officer decided to add a condition in the permit, something that I have never heard before done for a CUP. Below is the unofficial transcript:

Hearing Officer Hachiya: *"I understand, but this is a discretionary action, so there will be some things that I think I would like the applicant to consider and we'll check with county counsel. There are some conditions that I would like to add to this permit and at this point, I'm thinking of it -- this is a draft, we're going to double check with counsel what opportunities, whether we can do that, but one of the things I am concerned about is the language issue, okay. There are a lot of tenants -- this is a business, you're providing a service to the tenants and what I'm concerned about is -- no offense to the manager, but she doesn't look like she speaks Chinese, and there are a lot of tenants who are coming forward today who are older and who don't -- their language abilities are not strong, I'm not sure when you give notices out, whether it's in their language. I am concerned about that, hold on, let me finish my thought here. I would like to add a condition of approval that would require that the park operator meets on a quarterly basis with the tenants to do a question and answer or a listening session or organize some sort of community meeting to give the tenants the opportunity to bring up some things, you know, if they feel uncomfortable communicating with the manager one within -- one on one. I think seniors are a vulnerable population and as a business owner, that you should be sensitive to that, you're taking money from that, there's a responsibility*

To your customers, okay. So, that's something I want you to -- I know you're the representative, you can talk to

your client, but that is something I would like to put into the permit, I don't think it's overreaching, that's one thing I would like to happen. For staff"

[Interjection by Park Attorney]

Hearing Officer Hachiya: *[W]ith the condition of approval with regards to the quarterly meeting is something that I am going to ask staff to add that to the permit.*

Park attorney: *And also as to that's covered in the mobile home residency law, there is a statute where any time they want a meeting, they can give notice to management and have that meeting.*

Hearing Officer Hachiya: *I understand, but I want the mobile home park to organize it, that's really different. I understand that -- I understand that tenants have the right but sometimes they may not know how, if they're not given the space, I mean, these are all impediments to good communication and I am concerned about the communication or lack thereof in the park. I do think some of these issues may not be as big a deal if there was better communication and I think that's within the purview of this permit here and I don't think it's overreaching, and I think when you're serving others who don't speak the language well or are not comfortable with the environment, they're not going to come forward, hostile environment, it's not like a legally hostile environment, but it's something that I think we should be more sensitive and aware of.*

Park attorney: *And I understand your concern, I will say that, that Mr. Meng often steps forward on behalf of the comments, he holds meetings and has done all sorts of things historically.*

Hearing Officer Hachiya: *My concern is getting the operator to be more responsive and build a better relationship. The problem is he's going to keep doing that and you're going to keep pushing back and that's what I'm seeing here and I think as a business owner, there needs to be -- if you have regular repeat customers, you want to build a good relationship and that's what I'm concerned about, so that's the goal. I don't -- anyways, so let's leave it at that because I want to be sensitive to other people who are holding on to another item....*

It can be seen that the hearing officer did not like the park's attitude on the subject of customer treatment. So, although the county hasn't yet wanted to work on other issues residents have testified on, it is a great start that they are recognizing the issues and therefore want to put on the permit a requirement for the park to meet with residents quarterly. Residents therefore are preparing again to go to the hearing on November 15. This is only the beginning.

We will present Part II of our story in the December issue.

South Bay News

Park manager abuse is an important issue in many mobile home parks. In this article I want to talk about park rules. By 'park manager abuse' one can mean many things, but in general what I mean is park managers who demean or defraud residents or mobile home owners in the mobilehome parks they manage. So what is being done about this with notices, and what can be done about them?

First of all, not all park managers are corrupt, and not all park managers are irredeemable. While organizations such as COMO-CAL have written much about park



manager abuses, I have also read about mobilehome parks – in COMO-CAL's "The Voice", in GSMOL's "Californian", in "Mobilehome Magazine", in "MH Life", and heard from members of the LA Mobilehome Task Force about park managers who good to their residents or had changes of heart and became good managers.

On the other hand, many have lived in mobilehome parks where the park managers are corrupt and persistently demonstrate a desire to stay that way. These park managers use, and will continue to use notices to intimidate and harass mobilehome owners, to take financial advantage of the residents, to interfere with sales of mobilehomes until he or she gets a cut from the homeowner, and so on.

Improper use of notices is one of the ways that park managers demean mobilehome owners. In the worst case, they will use notices as precursors to or a means to evict people from their homes (usually for violation of park rules, MRL 798.56.d) with the aim of taking possession of mobilehome through a forced abandonment, and the MRL's abandoned property laws (798.61). How can we change this?

For most notices that I have seen, the park management issued it because a mobilehome owner had allegedly violated a park rule, rather than a federal, state, county, or city law. The unfortunate and unfair thing about this is that park residents do not have a say in the park rules. Park rules, like leases, are created by park owners (their management company or their attorneys). The rules and their enforcement can, therefore, be very arbitrary. The only safeguard to mobilehome owners is the 'unreasonable park rule' provision in the MRL (798.56.d) that only permits evictions for violation of a 'reasonable rule or regulation of the park'. But this does not prevent a park manager from using unreasonable rules or their enforcement to threaten mobilehome owners with evictions.

Much, if not all, of the abuse that park managers impose on mobilehome owners through alleged violations of park rules can be fixed if the law will not recognize a park rule that mobile home owners have not approved. Mobilehome owners want their park to be home to them, so they will want some rules to help maintain order in the park. No one wants a free-for-all. However, mobilehome owners won't approve rules that make them involuntary servants to the park.

To this end, members of the South Bay Alliance have proposed to Assembly Member Mike Gipson, Senator Leyva, and others that MRL 798.25.5 be changed so it will state that "Any rule or regulation of a mobilehome park that is (a) unilaterally adopted by the management [that is, approved only by the management], (b) is implemented without the consent of the homeowners, or (c) by its terms" denies them a right to a jury trial ... "shall be void and unenforceable." The italicized 'or' is presently an 'and' in this ordinance, making the statute meaningless since park rules never deny mobilehome owners a right to a jury trial. Mobilehome owners are increasingly being denied a right to a jury trial, but this is being done through the parks' (take-it-or-leave-it, non-negotiable) leases.

We urge you to voice your support to your representatives in Sacramento for this change to MRL 798.25.5

Article by Scott Hoaby



We've promoted the website MHPHOA several times in the past. Why? Because it is an excellent source of information, especially on park owners Kort & Scott, and their management company Sierra Corporate Management.

Below you will find 35 informative articles. We suggest you go to <https://mhphoa.com/> and look around. It is well worth your time, especially if you live in a Kort and Scott park. Dates refer to article posting dates.

| | |
|--------------------|---|
| October 16, 2016 | 170 Kort & Scott Companies – Doing Business As DBA |
| October 14, 2016 | Sierra Corporate Management Complaints and Reviews |
| October 13, 2016 | Get Your Security Deposits Refunded After One Year |
| October 12, 2016 | Sierra Corporate Management – Company Website Online |
| October 11, 2016 | Follow the Money – \$405+ Million in Financing – Chad Thomas Hagwood |
| October 11, 2016 | Avoid the Sierra Corporate Management Dropbox |
| October 10, 2016 | 650+ Mobile Homes Being Tracked in KSFG Mobile Home Parks |
| October 9, 2016 | Sierra Corporate Management – Reorganization in Progress? |
| October 7, 2016 | California MHP Attorneys – The State Bar Court of California |
| October 7, 2016 | Reminder: REALTORS® Code of Ethics |
| October 6, 2016 | Priceonomics: In Defense of Mobile Homes |
| October 5, 2016 | Senator Connie M. Leyva's Mobilehome Conference on Sat, Oct 29, 2016 |
| October 3, 2016 | Lincoln Center Mobile Home Park – Evicted 1 Year After Purchase |
| October 2, 2016 | 59 Used Mobile Homes Removed by Tri Palms Ventures |
| October 1, 2016 | – MHPHOA.com – 17,089 Users, 23,357 Sessions, 49,808 Pageviews |
| September 29, 2016 | State of California Wins Injunction Against Kort & Scott Companies |
| September 28, 2016 | State of California Wins Injunction Against Kort & Scott Companies |
| September 26, 2016 | 1973 – House Resolution No. 15 |
| September 25, 2016 | 1974 – A Million Californians Can't Be Wronged |
| September 23, 2016 | 1976 – California Civil Code Provisions Relative to Mobilehome Park Residency |
| September 22, 2016 | Senator Connie M. Leyva's Mobilehome Conference on Sat, Oct 29, 2016 |
| September 21, 2016 | California AB 587 – Mobilehomes: Payments: Nonpayment or Late Payments |
| September 21, 2016 | Sierra Corporate Management – Company Website Shutdown |
| September 18, 2016 | California Health and Safety Code §18603 |
| September 16, 2016 | Recorded: Senate Select Committee on Manufactured Home Communities |
| September 16, 2016 | California AB 2819 – Tenant Privacy Protections Passed |
| September 16, 2016 | SCM Unconscionable MHP Leases – Do Not Sign |
| September 15, 2016 | Get Your Security Deposits Refunded After One Year |
| September 13, 2016 | Wall Street Threat to Non-Subsidized Affordable Housing in California |
| September 12, 2016 | – Amendments California Mobilehome Residency Law – Proposed MRL |
| September 8, 2016 | California MRL §798.37.5 – Trees and Driveways |
| September 6, 2016 | No Mobile Home Title? – Who Owns Your Mobile Home? |
| September 3, 2016 | Substandard Mobile Homes – Red-Tagged – Public Nuisance |
| September 1, 2016 | Jury Awards \$58.4 Million to 10 Households of the Terrace View MHP |

Survey on Solutions to Manager Abuse Issue

We truly want to focus our attention on solving the serious issue of manager abuse in mobilehome parks here in California. To that end, we ask you to complete the following Survey and mail it to us: **Mobilehome Magazine, P.O. Box 3774, Chatsworth, CA 91313.**

Those of you who would rather complete the survey online - go to www.comocal.org and you will find a link, on the home page, to the survey. It will take about 5 minutes to complete.

1. Have you read our articles on Manager Training and Certification? Select one answer.

- YES
- I've only have time to scan them
- No, not yet, but I will read them.
- No, I just don't have the time.

2. Do you understand the articles are really about finding a solution to manager abuse?

- YES
- NO

3. Do you understand our definition of manager abuse, i.e. harassment, intimidation, retaliation, interference of sales, illegal towing, closing the clubhouse, etc.?

- YES
- NO
- Not totally

4. What did you learn? Check all that apply.

GSMOL has supported manager training the last 15 years, and they have introduced two bills that have not been signed into law. GSMOL believes manager training will resolve most manager abuse issues. GSMOL, in their testimony in 2016, did not mention enforcement.

The park owners group, WMA, has had a 60 hour manager training program since 1991 and have 600 active managers who have been certified. Their stance - we don't have abuse in our parks.

The WMA doesn't believe managers training legislation is the most important thing. They want tools to evict bad residents instead.

The Ombudsman does not handle civil code issues, including manager issues. The Ombudsman is not funded and only manned by a part time person.

COMO-CAL believes enforcement of the civil code (MRL) must be legislated first. Only when laws are enforceable, with appropriate consequences, i.e. fines and/or sanctions, will managers stop their abuse.

Comments: Please use a separate sheet for comments.

5. In your opinion, which approach do you support? Select all you support.

GSMOL's plan to legislate manager training and certification now

WMA's plan: we don't need manager training, instead legislate a way managers and owners can evict bad residents.

The Ombudsman is all we need.

COMO-CAL's plan is to legislate a viable form to enforce the laws we already have. Then work on less important legislation.

5. Do you think the issue of manager abuse can be solved?

- YES
- NO
- Perhaps there is a partial solution, but it will never be resolved completely.

6. Do you understand it is imparitive that you, yourself must contribute if there is to be a solution.

- YES
- Maybe
- NO, I think it can be resolved without my help
- NO, you just want my money.

7. Please tell us who you are and provide your contact info. We thank you for your time and support! All information will be kept strictly confidential.

Name _____

Park Name _____

Address _____

Space # _____

City/Town _____

ZIP/Postal Code _____

Email Address _____

Phone Number _____

Thank You for your participation!

Benefits of Joining COMO-CAL

- You receive COMO-CAL's 36 page Frequently Asked Questions and Answers, compiled by the Senate Select Committee on Manufactured Housing Communities. This is a "got to have" reference book for any mobilehome owner living in California.
- You receive a 12 month subscription to The Connection, COMO-CAL's Monthly Magazine.
- COMO-CAL is the only advocacy organization that guarantees results. If after 90 days you are not happy with our service, we will refund 100% of your dues. You may keep the \$5 Handbook as our way of saying Thank You for joining.
- COMO-CAL now has a Help Line (M-F 8am-9pm). The Help Line does not answer individual resident issues, but can help guide you. With our money back guarantee, you have NOTHING to lose by joining and everything to gain. Simply call Frank at 818-886-6479.
- Your membership allows The Connection and COMO-CAL to continue providing services to the MH Community.
- COMO-CAL is a 100+ network of parks in California.
- COMO-CAL advisors have years of experience and are ready and willing to take on issues that have existed for decades.
- Please don't forget to donate. MH Life alone costs over \$60,000 per year. And a strong COMO-CAL means we are better able to serve you, to protect your investment and your lifestyle.
- Please note our mailing address has changed. Now it's COMO-CAL, P.O. Box 1852, Walnut, CA 91788.



Membership Application COMO-CAL Subscription - The Connection

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PHONE #: _____ PARK NAME: _____

E-MAIL: _____

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MH Life Magazine annual subscription (\$15). (Connection only) \$ _____

I believe in the cause and your good work. I want to donate. \$ _____

I will deliver magazines door to door in my park.

I will help form a COMO-CAL chapter in my park.

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