

The Coalition of Mobilehome Owners

# MH *Life*

Advocating for Mobilehome Owners

**DECEMBER 2015**

VOLUME 3 NUMBER 12

THE #1 SOURCE OF INFORMATION FOR  
MANUFACTURED/MOBILEHOME OWNERS  
IN CALIFORNIA



# Living In A Mobilehome Park

Twenty-nine years ago my husband and I contracted to have our home investment installed in a mobilehome park. We thought it would be a wonderful way to spend our retirement years. We would have a home of our own, we would have the use of the park facilities, as much social life as we liked, and meet and make good friends who helped each other in time of need. Sounded like a wonderful way of life.

We had never lived in a mobilehome park before, so after looking over the models we picked out the one that suited our needs and choose a lot. We contracted with the park owner to install our home investment and to build an attached two-car garage. We were presented with a ten year lease and as we both had been in business for many years and familiar with leases we agreed with the provisions and signed the lease. With the lease we were presented with a copy of the Mobilehome Residency Law (MRL).

## MOBILEHOME RESIDENCY LAW (MRL)

I soon learned that Mobilehome Residency Law provisions are unique as to the terms and conditions of park tenancy, such as the homeowners right to the use of the lot, the lot installations, and the park facilities and services. The park owner is required to give a written Rental Agreement, and a lease is a rental agreement. I also learned there are only five reasons a tenancy can be terminated. A MH owner must be given the proper notices, and there is a court hearing where it is up to the management to prove that a rule or regulation has in fact been violated. The MRL also contains many more unique provisions that the homeowner should consider.

Over the years I also learned of the unique provisions in the Mobilehome Parks Act (MPA) (the Health and Safety Code and Title 25). These are all the standards and requirements in the park owner's permit to build a mobilehome park. These standards and requirements are to be provided before a Permit to Operate is issued, and must be maintained for the yearly permit renewal. Under the MRL these standards and requirements of the Permit to Operate are the terms and conditions of park tenancy, and no rental agreement shall contain a provision by which the homeowner waives his or her rights. Any such waiver shall be deemed contrary to public policy and void.

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

The Department of Housing and Community Development (HCD) is the Governmental Agency responsible for enforcing the provisions of the MPA. When all the standards and requirements of construction are completed, HCD issues the Permit to Operate, and if the standards and requirements are maintained, HCD issues the yearly renewal. Any change to an existing park requires an application for an alternate permit and HCD approval. MPA provisions state it is a felony to alter an

existing park without the proper HCD permit.

I had to learn about these unique mobilehome laws the hard way, and feel there should be better enforcement to protect the homeowner's home investment. That is why I am thankful of the opportunity to share my knowledge in MH Life Magazine.

It is important for MH owners stay informed of their rights and what is happening throughout the state because mobilehome parks are unique, and homeowners have been enticed to place their home investment in the parks, they have agreed to improve and maintain the park owner's lot, and to pay an agreed monthly rent for the use of the lot, installations to the lot, and park facilities. MH owners need to gain information that would be a benefit to them. Education plus Action equals Justice. To that end, I suggest everyone subscribe to MH Life Magazine (now just \$5/6 months) or join COMO-CAL, which provides a years subscription to the Magazine.

## YOU HAVE RIGHTS

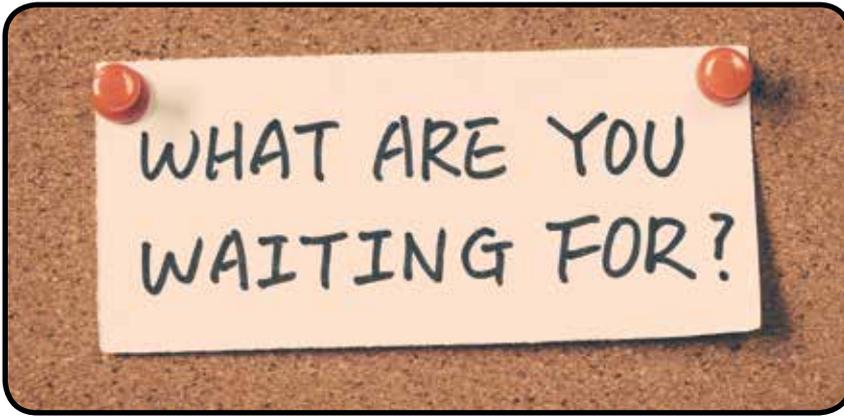
Over the years I have learned what the Mobilehome Parks Act standards and requirements are for a park owner's permit to operate. **It is a MH owners duty** to see that the Department of Housing and Community Development (HCD), the governmental enforcement agency, does its statutory duty to see that these MPA laws are enforced. These laws require the park owner to do his contractual duty to maintain the park, and to protect the homeowner's home investment.

We MH owners cannot enjoy the normal influences of a free market in the same way the apartment or house renters; who have no investment in their living unit and are free to move. Nor do we homeowners in parks have equal bargaining power. This leads to an environment that is inherently fertile for illegal and immoral practices, and abuse by greedy or unscrupulous park owners. Therefore, the Legislature has enacted these unique mobilehome laws to protect the homeowner's investment. The laws are there, and it is critical that homeowners know their rights, under these laws. MH owners must demonstrate to management that they know their rights and not be intimidated by dictatorial managers, or stand for selective enforcement of the park rules and regulations.

Remember, you have rights under the law. The Mobilehome Residency Law states a rental agreement cannot contain a provision by which a homeowner waives his or her rights. This would include all the MPA standards and requirements for the park owner's permit to operate.

The key is to know the standards and requirements for the park owner's permit to operate and see that HCD Administrators are enforcing these laws.

**Article by Donna Matthews, long time Mobilehome Owner and advocate. Contact Donna through MH Life Magazine**



Well here it is the end of another year. They seem to go so fast these days. It has been an interesting year, a year of opening new doors and closing old ones, a year full of changes, full of discoveries, full of thought, and full of questions.

COMO-CAL began accepting members in January 2015 and was modified into a state-wide group in order to support the Regional Group Plan. The Plan unites advocates and has benefits too numerous to mention here. Our hope for 2016 is the MH Community will embrace the changes we have recommended.

In 2015 we discovered the wealth of information contained in the 44 Hearings of the Senate Select Committee on Manufactured Home Communities. They record testimony of park and resident leaders and residents way back to 1982 on a variety of subjects. The Hearings may be viewed at: <http://mobilehomes.senate.ca.gov/hearings>.

Several Hearings led us to conclude little or nothing has been accomplished over the last 30 plus years, especially in areas of enforcement, and management problems. Just for that reason, we are dedicating the resources of MH Life Magazine and COMO-CAL, focusing our efforts to begin resolving these two important issues. In fact, we will devote the January 2016 issue to talk about the issue of management problems. If you believe in our mission, please support us by joining COMO-CAL, subscribing to MH Life Magazine, donating and volunteering to support our cause.

If you read MH Life Magazine, you will know we are about UNITY, networking and sharing. To that end, we are working with Mobile Home Park Home Owners Allegiance (MHPHOA - see page 7) to network all Kort and Scott parks in California. We will suggest they use our expertise to form a magazine serving only resident owners in Kort and Scott parks. We also suggest residents in Kort and Scott parks form a group dedicated to dealing with Kort and Scott. Of course, we will report any progress in MH Life Magazine. This is called teamwork, working together, for a common goal!

This month we are happy to announce a limited time offer. If you are low income, you can subscribe to MH Life Magazine and get six (6) monthly issues for only \$5 (far less than it costs to mail and print). Our goal is to have MH Life Magazine in every mobile/manufactured home in California.

Finally, we are grateful to Ken Meng, his family, MRA1441, and the residents of Rowland Heights Mobile Estates and honored to receive their endorsement of COMO-CAL. In fact, COMO-CAL worked with this community several years ago and now, with Ken's leadership, they have accomplished much. Congratulations to one and to all. You've earned it. Now let's see what we can do together!

*Happy Holidays from the Staff of MH Life Magazine*

# MH Life

Serving California's Mobile & Manuf. Housing Communities

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# Resident Association Endorses COMO-CAL



**Manufactured-Home Residents Association  
MRA1441 (Ken Meng Left of American Flag)**

I am the founder and president of the 1441 Manufactured-Home Residents Association (MRA1441), which was formed to serve residents and improve our community. Our family moved into Rowland Heights Mobile Estates in July, 2012, after our home was foreclosed in 2011. By the time we moved in, we found residents were being discriminated against and oppressed by park management, and many of the elderly were complaining that living at Rowland Heights ME was like living in a jail.

In early 2013, MRA1441 was created. In May, we organized a protest, and at the end of the year, after much research and hard work, organized a meeting with the park owner. We represented over 175 residents. As a result, the park owner finally decided to replace their abusive management, did not raise the rent on residents for one year, fixed the roads, extended clubhouse hours, and made other improvements. By organizing residents, we overcame retaliation and profoundly learned that when vulnerable residents unite, they become powerful and are then able to protect their rights.



**Frank Wodley & Ken Meng  
at Frank's home in Chatsworth**

Residents in one park can only do so much, so we began reaching out to other mobilehome organizations. Although we did not receive effective help from GSMOL, we did connect with COMO-CAL after reading a copy of MH Life Magazine. We appreciated the Magazine for courageously standing up for residents, and pointing out problems in California mobilehome parks. Through much contact with Frank Wodley, we found him to be honest, enthusiastic, hard working, he disregards personal gains, and is a person who strives to do his best. At one time he was a manger with GSMOL, however he was concerned about the lack of enforcement and the direction of the organization. Therefore in 2004 he decided to form COMO-CAL and MH Life Magazine. The Magazine is the only publication telling the truth about advocacy and issues found in mobilehome parks. We clearly recognize that Frank Wodley's efforts and selfless dedication are due only because of his desire to help a vulnerable group of residents receive just treatment.

COMO-CAL's Regional Plan effectively helps residents, but only if residents support it. Individual park associations are the foundation of the Regional Plan. This organization motivates residents to stand up, through unity, to resolve specific problems found in their community. The Regional Plan also provides important resources: a legal fund to provide legal assistance and a Magazine to educate and inform. The "organization" fundamentally differs from that of GSMOL. If residents embrace this plan, we predict residents will have a tremendously effective tool for dealing with park owners and park managers.

As with MRA, COMO-CAL encourages residents of mobilehome parks to establish their own community resident organizations instead of only depending on protection by another organization or government agency. Similar to unions, it is the only way to protect a vulnerable group like the mobile home residents in California. By putting local residents in positions of power and providing transparency to the group, only people with a true desire to help their fellow mobilehome residents will join in the leadership of COMO-CAL as it provides no other incentive.

After reading this endorsement, I encourage you to organize at least a few residents in your park and join COMO-CAL. Even if it is only you for now, COMO-CAL can help inform and educate you and help you organize. You can adopt a name like Manufactured-Home Residents Association for your new group, i.e. a group that promotes the general welfare of residents in your park. And you can make it specific to your park by adopting your parks address, as the Rowland Heights group did (1441).

MRA1441 endorses COMO-CAL. California residents should organize and unite through COMO-CAL for the welfare of their future generations and the future of mobilehome residents. Even if you are a GSMOL member or officer, we suggest you embrace the Regional Plan if your true desire is to serve and help residents. The Plan means resources stay in regions where they will do the most good, and gets everyone working together, effectively and efficiently. It provides for Strength in Numbers!

--Ken Meng, President, 1441 Manufactured-Home Residents Association (MRA1441), Rowland Heights, CA. 133@mra1441.org. (626) 581-6580

Editor's Note: *I'm thrilled to be working with Ken Meng and MRA1441. Through much adversity (these folks are mainly Chinese speaking and are not fluent in English), they have accomplished so much. If you have a computer I suggest you visit their website (<http://mra1441.org/>).*

*Photos can be accessed at <https://www.flickr.com/photos/110013505@N07/>. Each has is a wealth of information including letters from the park attorney and the unlawful detainer action.*

*Next month we will publish more of their story, their demonstrations, confrontations with management, the lawsuit to evict Ken Meng, and how his 17 year old son Sam was instrumental in helping them win the lawsuit. Their determination and perseverance are to be commended. Congratulations Ken Meng, his family, and their residents association MRA1441!*



# Mobile Home Park Home Owners Allegiance

## WHO ARE WE

The MHPHOA is a group of current and previous mobile home owners who live in, or have lived in, a Sierra Corporate Management (SCM) aka Kort & Scott Financial Group (KSFG) owned or managed mobile home park.

Our purpose is to provide mobile home owners with news and information regarding their mobile home park and the ongoing business activities of SCM and KSFG.

Please read our Information Disclaimer. We do our best to provide information that is accurate and timely. Our sources of information are publicly available and are curated by a group of knowledgeable mobile home owners both past and present. See our Frequently Asked Questions for more information.

## MISSION STATEMENT

**The goal of the MHPHOA is to provide a CONSUMER WARNING that does NOT exist practically for residents and potential buyers of mobile homes in California and many national mobile home parks.**

Under the typical scenario, residents of a mobile home park may awaken one morning to find that the park they live in suddenly has a new owner – one that they did not choose and would not want to do business with. This is happening at an increasing rate as Wall Street and Corporate Investment Interests purchase mobile home parks from existing mom-and-pop owners, particularly in California.

*Jan 2015 – Be very careful about communities owned by large corporations, which have no souls. Some are quite good, others awful to the point of being predatory. These companies exist to make money for their shareholders and one way is incremental annual rent increases (usually in the 4%-5% range) that in a few short years can really put tenants living on fixed incomes in a bind. Research carefully.* John Grissim, The Grissim Guides

While the majority of mobile home parks in California and the USA are still owned by mom-and-pop type owners, residents of these parks need to know that they have little to no say if the owner decides to sell the park to a new owner. Often this is done in secrecy and the mobile home park residents are informed afterwards.

Some of the new owners, corporate or aggressive, may present space rent increases to be in effect in as little as 90 days after they purchase. If the residents do not already have protective clauses in their leases, or they are on a month to month rental basis with no lease, they could see much higher space rents in a very short period of time.

*Jan 2015 – Be assured that the vast majority of the nation's 50,000 manufactured home communities are owned by*

*mom-and-pop proprietors who are good folks and who do an excellent job of protecting everyone's interests, especially avoiding excessive rent increases. Still, when doing your research, be sure to talk to park residents (privately out of earshot of management) to ask questions about recent rent increases and related issues.* John Grissim, The Grissim Guides

As more and more mobile home parks are sold to aggressive corporate interests, mobile home park residents are facing an extreme affordable housing crisis. The MHPHOA website will help readers seeking affordable housing to avoid, prevent, and mitigate these potential circumstances.

*Mar 2015 – In the last decade (2005-2015), 4,792 mobile home lots in the state have vanished from the map according to data from the California Department of Housing and Community Development, with even more expected to disappear. Over 400 mobile home parks have closed in the State of California over the last 20 years (1995-2015).*

*In some cases, entire mobile home parks have been sold and then shuttered. In other instances, mobile home residents were gradually pushed out. For example, residents of Mission Valley Village in San Diego, a mobile home park for seniors, were slowly pushed out due to rising rent and decaying conditions according to a San Diego Reader article in 2010. Either way, the number of mobile home lots available for lower-income Californians has continued to shrink.* Katie Kramon, Peninsula Press

The overall goal of the MHPHOA is to stop the gouging profitability of aggressive corporations by warning enough potential renters to avoid living under such risk or to negotiate a better lease that will protect them from sudden financial changes.

*Mar 2015 – Gradually, one by one, mobile home parks in California are going to be shut down. It's not feasible financially to create new ones.* Donald Barr, Stanford Professor

It is our hope that enough state officials and community citizens will show concern and action that there will be legal changes made to protect this form of affordable housing from extreme onslaught while providing for continued profitability for community minded good citizen mobile home park owners.

**PLEDGE:** The MHPHOA is a grass roots movement who are passionately dedicated to the preservation and protection of mobile home owner's rights in Kort & Scott Financial Group (KSFG) dba Sierra Corporate Management (SCM) mobile home parks in the State of California. The MHPHOA is NOT affiliated with any mobile home park owners and/or mobile home park management entities. We are both outspoken and anonymous mobile home residents, past and present, just like you, experiencing similar injustices, who want to help!

# Kort & Scott / Sierra Management in Corona

“Please do something” about rising rents one man tells City Council members.

Several neighbors sat quietly, picket signs aloft, as retired veteran Steve Jones asked the Corona City Council to help residents of his mobile home park where rent has doubled in the past few months.

“I only make \$900 on retirement, that tells me we’ll probably be losing our home,” Jones said Wednesday night, Oct. 7. “I feel like I’m being held hostage at my own home. I don’t think that’s legal, it shouldn’t be legal. Please do something.”

**Three months ago**, Anaheim-based Sierra Corporate Management purchased Corona La Linda Mobile Home Park, which borders the Home Gardens area at 777 S. Temescal St. Since then, residents say the price for new rentals has doubled, to \$1,300 per month. A park employee, who would not give their name, confirmed the new rate but would not comment on pre-existing rentals.

Abe Arrigotti, Sierra president, did not return messages.

Residents asked the council to enact rent control. Mayor Eugene Montanez suggested park residents speak with a state legislator who could then contact the city attorney to potentially pursue such measures.

Zeke Dasecke, a retired Corona mail carrier who’s lived at the park for more than a decade, called for quick action such

as a temporary moratorium on rent hikes, saying he and other seniors with fixed income are in immediate danger of losing their homes.

“There’s no way we can pay \$1,300 per month for a mobile home community,” an emotional Dasecke said. “I’d hate to lose my home.”

Only the lots, most a half-acre in size, are rented from Sierra. The more than 100 trailers are owned by the people who live in them, ex-owner/operator Richard Dixon said.

Other residents told the council it was too expensive to move their trailers, and that selling was impossible given the rental spike.

The park was recently assessed at \$3.1 million, Dixon said. Sierra paid \$16.7 million for it.

Dixon, one of several landowners who agreed to the deal, said he felt forced to comply with the majority decision.

“I have the feeling the new owners are about as aggressive as they can be,” Dixon said. “I personally feel terrible for having done the deal.”

Contact the writer: 951-368-9644, [poneill@...](mailto:poneill@...), [@PE\\_PatrickO](https://twitter.com/PE_PatrickO)

<https://groups.yahoo.com/neo/groups/mhof/conversations/messages/13269>

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## Comments on MHPHOA

We at MH Life Magazine appreciate the efforts of those responsible for the website (<https://mhphoa.com/>) MHPHOA. The site provides a wealth of information and should be the #1 reference for residents living in Kort and Scott parks, as well as a guide should others want to document their own park owners.

The site contains a listing of all parks owned by Kort and Scott, with dates of purchase or sale, size of the park, the park phone number and information, when available, on rents. Photos of every park are displayed.

The site contains a table displaying the current 138 Entity Names that they’ve associated with Lee M. Kort and Michael H. Scott aka Kort & Scott (KS) dba Kort & Scott Financial Group (KSFG).

The website is just the start. This group is also monitoring future purchases or sales by Kort and Scott.

We find the page on Kort and Scott’s business model (<https://mhphoa.com/ks/bm>) of particular interest. It provides an example of a long term lease and Do’s and Don’t’s for Homeowners. It is a must read for all residents, especially those living in Kort and Scott parks.

## Comments on Corona La Linda

Kort and Scott / Sierra Management have purchased another park, this time Corona La Linda Mobile Home Park in Corona, a family park with 132 spaces. Please note the purchase price was \$16.7 million, while the assessed value was something like \$3.1 million (as per the article below)!

The average rent in 2014 was \$650, rent in 2015, after the purchase, is going to \$1,300 (according to MHPHOA Website <https://mhphoa.com/ca/cllmhp>) when homes are sold. As per our \$10/\$1000 rule, that equates to a loss of equity averaging \$65,000/home. When you take the park as a whole, residents lost \$8.6 million in an instant!

On October 7, 2015 residents in mass attended a Corona City Council meeting asking the City Council to help them stop the 100% increase. Such an increase would be catastrophic and they all were fearful that they might lose their homes and become homeless. The City’s response was not very favorable.

We understand a meeting was held on November 12th (standing room only) where Kort and Scott agreed not to raise rents to \$1300 immediately, but to begin with an increase to \$950. Of course this is a victory for residents, but it still equates to a huge (\$30,000/space) loss. MH Life and COMO-CAL has reached out to this group and offered our help. We wish them all the best.

# Carson mobile home park owner James Goldstein drops legal challenge of rent control

A wealthy Carson mobile home park owner has dropped his \$70 million lawsuit against the city in the wake of a state Supreme Court decision slamming the door shut on his decades-long effort to sidestep rent control.

In a decision expected to reverberate throughout California, the high court late last month refused to hear James Goldstein's plea to overturn previous court judgments that upheld the city's position.

Goldstein, an eccentric fashion industry aficionado and self-described NBA "super fan," has relentlessly sued Carson since the 1980s to force it to abandon its rent control policies. But the Supreme Court effectively said the city has the authority to enforce its land-use rules despite the property's owner's desire for more revenue from his mobile home parks.

## CONVERSION DENIED

Goldstein owns two 400-unit parks on Avalon Boulevard near the StubHub Center in Carson — Carson Harbor Village and Colony Cove Mobile Estate. The October court decision came in response to his drive to convert lots at Carson Harbor Village to resident ownership, which would have ultimately allowed him to charge more rent.

Last Monday, Goldstein formally dropped his lawsuit against the city, and his attorneys say he now might resort to closing Carson Harbor Village mobile home park.

He is "reviewing (his) options," said his attorney, Richard Close. "Many park owners are considering park closure as the best option."

City Attorney Sunny Soltani described the win as a victory for all cities, though few are as willing to advocate as strongly as the city of Carson for their low-income residents. Most coastal communities are reluctant to support affordable housing for fear that it taxes community services and degrades property values.

"We are proud of the results we accomplished," Soltani said. "It gives municipalities more latitude to look at land-use issues that they couldn't before."

A 2002 Palm Springs court decision gave mobile home park owners authority to convert their properties to market-rate housing. Goldstein, in turn, attempted to do just that in Carson, but the city has vigorously fought him in court.

Soltani said the city prevailed in its argument even though the courts had legalized the conversion of mobile home parks to resident ownership.

"The city was right all along — one statute does not deprive the city of its inherent land-use powers," she said.

Now, Soltani said, cities and regional governing boards such as the California Coastal Commission can set their own land-use policies to maintain existing dense, affordable housing.

Carson's victory comes at a time when politicians statewide are confronting an increasingly urgent need for affordable, dense coastal housing. Last month, Los Angeles County set aside \$100 million to construct more affordable housing to combat soaring rents and home prices.

## A LITIGIOUS HISTORY

Goldstein, who dropped his lawsuit against the city last month, has been a thorn in the city's side for decades. A resident of the Hollywood Hills, where he often hosts celebrity events at his decadent mansion, he recently launched James Goldstein Couture, a fashion line featuring the animal skins and designer-label cowboy-style ensembles he often wears.

Goldstein is famous for wearing outrageous outfits when he sits court side at more than 100 National Basketball Association games each season.

The city has been in litigation with Goldstein for decades because city officials repeatedly denied his requests for large rent increase at the parks, which fall under the city's rent control ordinance. When he sought to convert the parks to resident ownership, the city saw it merely as a tactic to block city-imposed rent controls.

Carson lost court battles in 2008 and 2009 to block conversion at the two parks, but appealed the Carson Harbor Village case. Meanwhile, Goldstein filed two separate \$70 million claims for the delay in approving his requests.

But the city's fortunes changed in 2010, when the state's 2nd District Court of Appeal supported Carson's argument that Goldstein's desire to convert his parks was just a sham to increase rents. The state Supreme Court upheld the appellate decision, and the city again rejected Goldstein's conversion application on the grounds that his motive was only to increase his profits.

But Goldstein made a comeback in 2012 when a Los Angeles Superior Court judge reprimanded Carson officials for denying his conversion requests, and ordered them to reconsider his appeal. They did, and again determined that Goldstein was just trying to get around rent control rules.

The city's big break in the lengthy court saga came in 2013, when Gov. Jerry Brown signed into law Senate Bill 510 requiring mobile home park owners to secure a majority of tenant support before converting their properties. Former Gov. Arnold Schwarzenegger had upheld the rights of property owners to charge market rents by striking down similar bills.

But Goldstein didn't back down. He appealed to the state appellate court, which in August, denied his request. The city won that battle by arguing that protected marshland next to Carson Harbor Village needs expensive maintenance that residents could not afford if conversion to private property was approved.

Goldstein asked the state Supreme Court to reconsider that decision but, on Oct. 28, his petition was denied.

"It's a huge victory in the sense that municipalities that really care about their affordable housing get their land-use powers back," Soltani said.

"If the city had given into the park owner's ludicrous position, not only would it have established a very bad precedent regarding city's land-use powers, it probably would have ended up (forcing the city to) pay a big check."

# Council Reverses Controversial Park Rent Hike

Oct. 27, 2015 BY ERIN DONNELLY / STAFF WRITER  
The Orange County Register <http://www.ocregister.com/articles/council-689397-park-residents.html>

SAN JUAN CAPISTRANO – Almost two months after many rents doubled at a mobile home park for seniors, the San Juan Capistrano City Council has reversed the decision, much to residents' relief.

The council unanimously decided Monday that the \$641 rent increase at the El Nido Mobile Estates in September far exceeded a "just return" on the land and violated the city's municipal code. A decades-old rent control ordinance mandates that the park owner maintain a stable rent that increases only with the consumer price index.

Before the increase, rents ranged from \$500 to \$1,000.

The council did allow a \$37 monthly increase starting in November, but required the park owner to reimburse tenants for the \$641 added to September and October rents.

Council members Derek Reeve, Pam Patterson and John Perry made their decision without any discussion, to applause from the audience. Council members Kerry Ferguson and Sam Allevato recused themselves from the vote because they expressed a bias in favor of the park residents at previous council meetings.

"It's a relief. We're very happy," said Tom Perrin, an El Nido resident and one of the organizers of the original petition asking

the council to reverse the rent hike.

The park owner, David Worley, announced the rent increase in May, sparking massive backlash from Mobile Estates residents. The 152-unit park is reserved for seniors, most of whom are on a fixed income and could not absorb the shock to their monthly budget, residents said. Dozens of people signed a petition in protest, which sparked a formal review process.

Despite protests, the rent increase took effect in September. Several residents said they had to borrow money, dip into savings or pick up part-time work to get by. Many said they were concerned about evictions.

The park's owner's attorney, Richard Coldren, said Worley was entitled to a fair return on his land. The location off Ortega Highway with a view of the San Juan Capistrano hills makes the location valuable. He also said that artificially low rents made the mobile home lots more valuable for residents selling their homes, but not for the park owner.

In an analysis of the case submitted to the city attorney last month, city consultant Michael Rouch said that Coldren failed to prove that a \$641 increase was "a fair, just and reasonable return on property."

Though Perrin said the residents are grateful for the Council's decision, the extra \$37 monthly will still be a struggle for some who are on a limited income.

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## On the El Nido and Other Similar Cases

This issue is interesting because it relates to the classic case of who should benefit from greatly increased land value in a rent-controlled mobile home park: the land owner or the mobile home owners.

Park owners say the value of a mobile home should actually depreciate over time, because it is classified as personal property like an automobile. The El Nido park owner says the sale price of mobile homes in his park (up to \$250,000 and more) is directly attributable to increased land value. He states that the rents are artificially low because they are controlled by law and not by the free market. Rents should be increased hundreds even thousands of dollars per month to compensate for the increased value of the land. Without rent control and with "market rents," the value of the mobile homes would be next to nothing. This is the universal mantra of mobile home park owners

Battles because of this phenomenon have raged on and on. It is really a case of fundamental property rights and park owners and other property rights activists will keep challenging in the courts, ultimately trying to get the Supreme court to hold in their favor and eliminate rent control.

Compared to apartment renters who can pick up and move for any reason, people who own their homes and cannot move them, but are renters only because they need space to locate them should have a reasonable measure of property rights. This unique personal-property/real-property ownership arrangement can cause abusive relationships and is ample justification for rent controls in mobile

home parks. This is particularly true in cases where an investor purchases a park where rent controls are already in place, which is the case here.

Park owners try to increase rents to what they call "market rents," which is totally arbitrary and impossible to accurately determine. Rent control ordinances that have been challenged in the courts specify that rents should be "fair, just and provide a reasonable return on property." In the El Nido case, the park owner says he should get a 12% return on his investment. Although a return on investment is important to all investors, it is not considered in determining rents that are "fair, just and provide a reasonable return on property." When the park owner purchased the park, he knew exactly what the income and expenses were, and could fairly accurately predict what he could expect from future rent increases based on the CPI. This was his investment choice. If it was based on 12% return, then he should still be getting his 12%, because the annual CPI rent increases should have covered his increase in expenses. Any special (hardship) rent increases to cover unforeseen situations, still would not change the return on investment.

It would appear this owner made his investment in speculation of profits to be realized from rapidly increasing land values, not to receive a highly stable monthly income stream. To realize his investment goal, he now must invest in the exorbitant costs of litigation in the courts. Others have tried and lost.

Regards, Bob Slagle, Palm Springs View Estates

# Need Help? Call 818-886-6479

If you have an issue in your park that a) is experienced by several residents and b) you can't resolve it on your own, then call us. We can't help unless we know you're experiencing an issue. Here are just some of the issues you should call us about.

## PRIORITY ISSUES

### Management problems.

- your manager is verbally abusive
- your manager tries to intimidate and harass
- your manager often uses the word "eviction" to threaten
- your manager is unreasonable and doesn't listen well

### Interference of sales.

- the park won't approve a qualified buyer
- the park won't provide a written explanation why your buyer doesn't qualify
- the park requires many upgrades to your home before they will allow it to remain in the park

### Meetings.

- the park interferes with resident meetings
- the park won't let residents meet in the clubhouse for an all park meeting
- the park demands a deposit before they will allow

residents to meet in the clubhouse

### Distribution of Information.

- the park won't let residents use the "tubes"
- the park says MH Life Magazine is a solicitation
- the park suggests mailing all information

### New rules and regulations.

- the park makes new rules and regulations without the required park meeting
- the new rule or regulation takes effect immediately

### Failure to maintain.

- the common areas of the park are not maintained
- there are electric and/or water outages
- there are sewer spills

### Loss of amenities

- the park has closed the laundry room
- the park took away the pool table, library or kitchen in the clubhouse

### Clubhouse

- the clubhouse is closed
- the clubhouse is not available and open during normal business hours

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## The 2016 Mobilehome Residency Law (MRL)

The new 2016 Mobilehome Residency Law (MRL) is available. If you recall, as of January 2011, parks are not required to deliver the new MRL to residents; however they should notify residents if there are significant changes from the previous year and make one copy available. A resident has to ask management for a copy.

The MRL that most parks make available uses a very small font that is difficult to read, especially for seniors. If you haven't gotten a MRL for a while, we recommend ordering a copy from the Office of Senate Publications below. It has a large, easily read font and contains a section on Frequently Asked Questions and an index to search various subjects.

### HOW TO ORDER PUBLICATIONS

1. Prepayment is required before shipping.
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7. Please include stock number when ordering.

8. Computer printout on particular subject available upon request.

9. If you have any questions or need further assistance, please call 916/651-1538.

### SENATE SELECT COMMITTEE

Stephanie Reid of the Senate Select Committee on Manufactured Home Communities has told us: "The Senate budget allows for one free copy of the MRL, while supplies last."

Call (916-651-1517) or email Stephanie (Stephanie.Reid@SEN.CA.GOV) and she may be able to mail a copy of the 2016 MRL to you.



## Determination and Perseverance

Determination and perseverance are two extremely important qualities when dealing with issues in mobilehome parks. Few advocates last long enough to make much difference. COMO-CAL is unlike any other advocacy group. Why? Because we have had the determination and perseverance to help MH owners without getting much support in return.

Today is a new day. We feel once residents realize what we can do, they will be more supportive. And why not. If we can help resolve such problems as no viable means to enforce the Mobilehome Residency Law, management problems, and interference of sales, we'd say that was terrific progress, wouldn't you?

We understand problem solving is a process. Unfortunately, most problems require more effort, determination and perseverance than residents are willing to give. We've found residents call us with an issue, hoping we can resolve it with a phone call. And parks take advantage of this. They know when they put one or two barriers up (you can't use the clubhouse, you can't use the tubes for information, etc.), residents will give up.

So we suggest, let us be your determination and perseverance. We won't give up. We will work hard until you can use your clubhouse, until you can use your tubes, etc.

### QUOTES ON DETERMINATION

*A dream doesn't become reality through magic; it takes sweat, determination and hard work.* **Colin Powell**

*America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand.* **Harry S Truman**

*If you set goals and go after them with all the determination you can muster, your gifts will take you places that will amaze you.* **Les Brown**

*Let us not be content to wait and see what will happen, but give us the determination to make the right things happen.* **Horace Mann**

*Do not underestimate the determination of a quiet man.* **Iain Duncan Smith**

*Determination gives you the resolve to keep going in spite of the roadblocks that lay before you.* **Denis Waitley**

*Nothing is impossible in this world. Firm determination, it is said, can move heaven and earth. Things appear far beyond one's power, because one cannot set his heart on any arduous project due to want of strong will.* **Yamamoto Tsunetomo**

*I think the key is basically just your determination. As far as an artist is concerned, it's just about your drive and your dream.* **Chris Brown**

*Determination gets you a long way.* **Chelsea Clinton**

*Happiness is an attitude of mind, born of the simple determination to be happy under all outward circumstances.* **J. Donald Walters**

### QUOTES ON PERSEVERANCE

*Perseverance is failing 19 times and succeeding the 20th.*

**Julie Andrews**

*Perseverance is not a long race; it is many short races one after the other.* **Walter Elliot**

*Great works are performed not by strength but by perseverance.* **Samuel Johnson**

*By perseverance the snail reached the ark.* **Charles Spurgeon**

*A dog teaches a boy fidelity, perseverance, and to turn around three times before lying down.* **Robert Benchley**

*Perseverance is the hard work you do after you get tired of doing the hard work you already did.* **Newt Gingrich**

*I do not think that there is any other quality so essential to success of any kind as the quality of perseverance. It overcomes almost everything, even nature.* **John D. Rockefeller**

*Just remember, you can do anything you set your mind to, but it takes action, perseverance, and facing your fears.* **Gillian Anderson**

# Why Change Is Important?

A strong state-wide advocate for MH owners is critical. Without a state-wide group there is nothing to “hold” other groups together, i.e. a state-wide group is the glue in Strength in Numbers. A state-wide group can represent MH owners in Sacramento, both by providing new legislation favorable to the MH Community and by preventing legislation that would hurt us. A strong state-wide group can begin resolving decades old problems (management issues, interference of sales...).

We have identified many problems with our present system of advocacy. For example:

- It gives too much power to a few (less than 10), resulting in corruption. It promotes greed.
- Leaders “serve” themselves, rather than serving those they pledged to serve.
- There is no representation for individual MH owners,
- The huge overhead saps resources that could go to help MH owners.
- The current system leads to divisiveness, deception, lack of transparency, erosion of ethics, an unfair and corrupt election system, deceit, lying and a lack of teamwork, networking, sharing, and brainstorming.

## LET’S MAKE SOME NECESSARY CHANGES

Do you want to continue to support advocates who make the same mistakes? We hope not. We have provided a path that fixes every issue we mention above and we guarantee it will work. That path is the Regional Group Plan (The Plan or the Unity Plan). It divides the power, it provides representation for all MH owners, eliminates overhead, divisiveness, and gets advocates working together, ethically, efficiently and effectively.

## SUPPORTING AN IDEA

If you believe in UNITY, you will support The Plan. If you believe in teamwork, networking, sharing, and brainstorming solutions to problems, you will support The Plan. If you believe in Strength in Numbers, you will support The Plan. If you believe Knowledge is Power, you will support The Plan. And if you are convinced Change is critical, you will support The Plan.

## A MOVEMENT TOWARD CHANGE

Don’t get hung up on names, personalities or what ever. This is about The Plan. It is about an idea, a philosophy, and a pledge and a path to finally get advocates working together in harmony!

## WHY COMO-CAL?

In fact any organization could be used to make The Plan a reality, as long as it represents the change we are promoting. It just so happens that COMO-CAL is available and is an

established non-profit. COMO-CAL is a means to an end (UNITY and everyone working together), rather than an end in itself. It’s present Board of Directors is essentially making the non-profit available to those who support The Plan.

## COMO-CAL ITSELF WILL CHANGE

The make up of COMO-CAL will change as it grows, i.e. as regional groups are added (COMO-Los Angeles, COMO-San Diego, etc). New COMO-CAL leaders will be chosen from regional group leaders, as regional groups are formed. That means every regional group will be represented in the state-wide group (COMO-CAL).

## THE DIFFERENCE

So what’s the difference between advocate leaders today and The Plan leaders. It is simple. The Plan leaders will be required to take a Pledge (first published December 2014, page 7).

## THE PLEDGE

The Pledge is the key to the Unity Plan. If every advocate and every advocacy group would sign and abide by it, this would be a red letter day for MH owners. Here is the Pledge:

1. Pledge to be open and transparent.
2. Pledge to publish financial and membership reports at least twice a year.
3. Pledge to have at least quarterly meetings. Meetings may be via the internet if necessary.
4. Pledge to work, share, network, brainstorm and communicate with all others in our state-wide community.
5. Pledge to be responsive, i.e. respond within 24 hours to emails, or phone calls, and within 7 days to letters.
6. Pledge to be accountable for their actions.
7. Pledge to support the new Unity Plan and support the new state-wide group.

## WHAT CAN YOU DO TO SUPPORT THE PLAN?

That’s simple. The Plan will only succeed if and when MH owners and residents support it.

- One way is to Speak Up! Send us an endorsement, tell us why you believe in The Plan. Tell us you will support any advocate that takes The Pledge. Send a donation. We guarantee 100% will go to promoting The Plan and serving you.
- Volunteer to help lead a regional group or start a mobilehome residents association.
- Join COMO-CAL & receive all the benefits we offer!

# Benefits of Joining COMO-CAL

- 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.
- With our money back guarantee, you have NOTHING to lose by joining and everything to gain.
- You receive a 12 month subscription to MH Life Magazine
- \$10 of your \$25 goes into a Legal Fund (for your region)
- \$8 of your \$25 goes to your Regional Group
- \$5 of your \$25 goes to MH Life Magazine
- \$2 of your \$25 goes for postage of the Handbook
- 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.

- 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.
- Your dues are only used by your Regional Group to provide services to you.
- Your membership allows MH Life 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.



## Membership Application COMO-CAL

### Subscription - MH Life Magazine

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Annual Membership in COMO-CAL (MH Life sub included) (\$25). \$ \_\_\_\_\_

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

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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 a group in my park.  I will help my Regional Group

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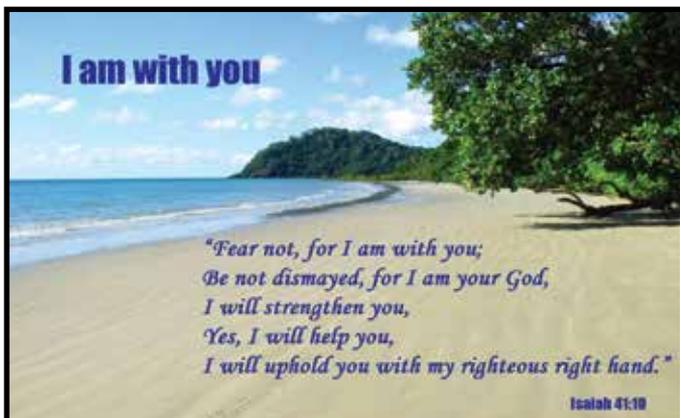
MH Life has less than a handful of businesses that advertise which means they are all very important to us. The loss of even one advertiser will put the magazine in jeopardy.

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Even if you don't need financing, termite work, a handyman or soundproofing, give them a call. Tell them you appreciate their support of the magazine.

And by the way, we love to hear from you. Give us a call and we'll chat about your park or the magazine. Your feedback only makes us better.

Happy Holidays from the Staff of MH Life Magazine and the Directors of COMO-CAL.



## PRAYER REQUESTS

Do you need prayers? Prayer changes everything. There are praying churches in various communities which can pray for you. E-mail your prayer requests to: [prayingchurches@gmail.com](mailto:prayingchurches@gmail.com). You can state your first name or initials or remain anonymous. Your request will be kept confidential.

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# Residents Call Modesto Mobilehome Park's New Rules Unfair, Too Restrictive

Exchanges became heated at a recent meeting between ownership/management and residents of a gated mobile home park in Modesto regarding new regulations.

Rules going into effect in May 2016 at The Grove Manufactured Home Community on Held Drive use vague wording that opens the door to discrimination, several residents said.

A short sampling of what those rules prohibit: "Frequent late night and/or early morning social or business gatherings at your space"; "frequent" bicycle, foot or vehicle traffic to and from homes for "short visits"; "frequent open consumption of intoxicants" at homes; and "the uttering of profanity outside the home ... loud enough to be audible to persons passing by."

A few residents turned to the Stanislaus County Mediation Center and the Senior Advocacy Network/Senior Law Project for help. A representative from each attended the Oct. 14 meeting.

As the broad-ranging rules – which also include items on trash bin placement and what type of furniture is permitted in driveways – were discussed, residents frequently spoke up from the audience of roughly 100. "With these new rules, I'd be hard-pressed to find anyone to buy my home," one man said.

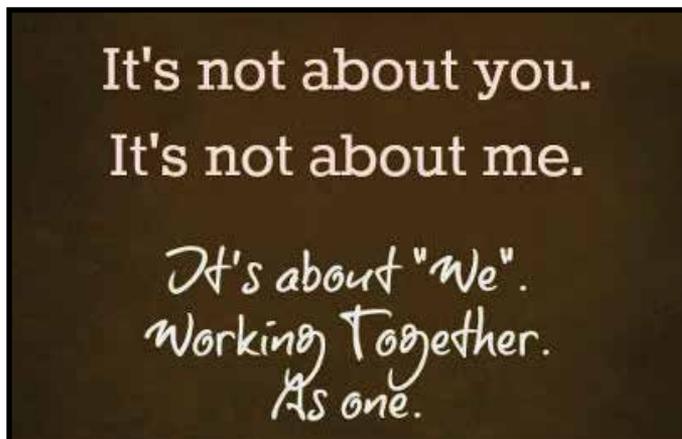
Karen Nielsen, a 16-year resident of the park, said, "You're ruining our lives."

"I signed a 15-year lease nine years ago, figuring this would be my last home. It won't be now," Jim Perry told owner Todd Green of Hillsboro Properties, who led the meeting.

Green told the residents, "If you look at other comparable parks in the area ... five-star parks, you will find similar rules and regulations."

Challenged to define "frequent," Green said a number of times that could reasonably be considered excessive. "We're not stopping coffee klatches," he said when asked about frequent early-morning social gatherings.

Oct. 14, 2015. Deke Farrow [jfarrow@modbee.com](mailto:jfarrow@modbee.com) <http://www.modbee.com/news/article40514712.html>





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