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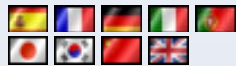
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Board delays withdrawing manufactured home disclosure ordinance



Written by Elizabeth Larson
Wednesday, 07 November 2007

LAKEPORT – The Board of Supervisors on Tuesday postponed taking action on a manufactured housing ordinance that state housing officials contend is preempted by state law.

On Oct. 2, the board accepted a resolution that requires local manufactured home dealers to give homebuyers a one-page disclosure ordinance notifying them of their rights before a final purchase agreement is signed, or final payments are made.

A group of local manufactured homebuyers told the board during several public hearings of many problems they encountered when buying the homes, from receiving homes which were different than they purchased to nightmarish installations that left the homes with everything from plumbing to foundation problems.

As Lake County News reported last week, the California Department of Housing and Community Development's Division of Codes and Standards notified the county Oct. 15 that they believe the ordinance is invalid because state law governs manufactured housing sales and disclosures.

In addition, the state's letter claimed that requiring home dealers to hand out the one-page disclosure places an unfair burden on them.

County Counsel Anita Grant took to the board on Tuesday an ordinance to rescind the manufacturing housing disclosure ordinance.

"It sounds like we really don't have much choice," said Supervisor Ed Robey. "I think what we really need to talk about is what our other options might be."

Robey said he feels the state is "really dropping the ball" on this issue of protecting consumers.

As an alternative, Grant suggested the county could send a letter to state officials to ask them to pursue legislation at the state level that would address early disclosure for manufactured homebuyers. She presented a rough draft of such a letter for the board's consideration.

Board Chair Jeff Smith asked if, in addition, the county could give forms to prospective homeowners that urge them to take safeguards when buying any homes, manufactured or stick-built. That would have the benefit of not singling out anyone and would cover issues in a broader

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Ray Perry

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sense.

"That's certainly an option, yes," Grant said.

Supervisor Denise Rushing asked Grant about possible consequences of not rescinding or delaying a decision on the ordinance. Grant said it could result in litigation by private parties being forced to provide the disclosure.

Rushing maintained that the county's ordinance differs from state law in its timing – given to homebuyers before they make final payments on homes – and for its clarity. The county does occupy the field in these issues, she said, because it has enforcement responsibilities regarding to final home inspections.

"I'm really struggling with this," she said. "I'm not convinced we have to consider it today."

Smith said he felt the county could get into trouble if it doesn't rescind the ordinance. He said the county's elected officials at the state level – including Sen. Patricia Wiggins and Assemblymember Patty Berg – need to be told of the county's concerns. "They should be as concerned as we were about it."

He added, "By digging our feet in and not rescinding it, it does us more harm than good."

Said Robey, "As much as I enjoy being stubborn when I think I'm right, in this case I agree with Jeff."

Robey said he agreed with sending letters to state officials and developing a general purpose notice to homebuyers.

Dealer, homebuyer offer opposing views

During public comment Robert Angel, president of the California Manufactured Housing Institute board, spoke against the ordinance.

Angel is also owner of Angel and Associates, the second largest manufactured housing retailer in the state. He owns two local retailers, Lake County Manufactured Homes in Lower Lake and Modern Manufactured Homes in Lakeport.

He said the manufactured homeowners in Lake County who spoke of problems with homes and installation aren't "a representative sample of the manufactured home owners in the state or the county."

Angel said his company has placed 1,200 manufactured homes in Lake County over the past 19 years, and reported that most of the buyers are happy with the product.

"My feeling is that the board had information that would indicate it is a much bigger problem than it is," said Angel.

California Manufactured Housing Institute sponsored a new law recently to offer buyers additional escrow protections, Angel said, and they're also putting on their Web site a consumer awareness brief that is more inclusive than the county's disclosure.

Angel said the ordinance doesn't address the biggest problem, which is out-of-county dealers.

The only other public comment given during the meeting was by Paul Frindt of the Lake County Manufactured

Housing Citizens Group. He and several members of that group are currently in the midst of a lawsuit which names Angel's company and its Lower Lake outlet for issues including breach of contract, negligence, fraud and elder abuse, according to court documents obtained by Lake County News.

Frindt said he agreed with Angel that the issues before the board ideally should be addressed at the state level.

He said the Manufactured Housing Citizens Group also did a survey of manufactured homebuyers, which wasn't scientific. Frindt said he didn't trust the California Manufactured Housing Institute's survey.

Instead, Frindt referred the board to a survey conducted by the American Association of Retired Persons, which indicated a "serious percentage" of people who bought manufactured homes and never had their issues resolved.

Addressing the Oct. 15 letter to the county from Ronald S. Javor, assistant deputy director of the California Department of Housing and Community Development's Division of Codes and Standards, Frindt said Javor refers to rules about home construction and mobile home parks, neither of which are related to the disclosure ordinance.

Frindt added that state governs many areas pertaining to manufactured homes, with the notable exception of installation.

He said the state is doing, at best, a "spotty job" of enforcing standards. Frindt asked the board not to vacate the disclosure ordinance before having Grant research if the state truly governs all manufactured home regulations, particularly installation.

Robey suggested stepping back and looking at the issue, and possibly even modifying the existing ordinance rather than rescinding it.

Supervisor Anthony Farrington pointed out that the board took action to limit the sales of pseudoephedrine, which is used in cold medications and also is a chief ingredient in methamphetamine, long before other areas, and ended up setting a precedent.

In this case, he suggested continuing the discussion to find ways to tailor the ordinance and to draw more attention to the disclosure issues.

The board voted 4-0 to continue the discussion at its Nov. 13 meeting, when Supervisor Rob Brown would be back. In addition, the board directed Grant to research ways the ordinance could be modified to be directed more toward installation rather than purchase issues.

"It's not a question of who's in charge of this," Grant told Lake County News in a Tuesday afternoon interview.

Rather, she said the board wants to ensure that consumers are notified, in the clearest manner possible, of their protections at the earliest possible opportunity.

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 **James - squeaking** Registered | 11-07-2007
wheel 07:20:43

This government has know about the problems with manufactured housing and contractors long before Denise Rushing teamed with Janis Paris. Those agencycs of our government those bureaucrats payed allowed for this abuse. Brown,Smith,Roby and Farrington knew and allowed us to choke on their dishonesty. What a bunch of despicable males they lie and cover up the lies. Not one of those despot in over six years has stood up and said they did not lie or covered up the lies.

 **Donna Christopher - Well,** Author | 11-07-2007
Mr Angel 12:08:03

if your as pure as the driven snow as you claim why in the world would you object to potential customers being fully and easily informed? The Feds fail the consumer, the state fails the consumer - our Board Of Supervisors is the only entity left to protect their citizens. Keep up the good work.

 **get smart -** IP:69.226.217.xxx | 11-07-2007
Expectations 16:01:11

Government will not protect you; whereas a clever attorney might! If you were expecting protection; your expectations were too high! The Government's role is to provide some sense of order to the insanity that ensuing anytime two or more people share in a single goal! Justice is that which each of us has to fight for; for their selves; and thank goodness we live in a country where there is still a sliver of freedom to do so.

James; I applaud you in your efforts; and share in your optimism of you being victorious over the injustice that you have been faced with at the hands of the County of Lake Board of Supervisors less Denise Rushing; and with that victory will come your vindication of those who have doubted you that such injustices were allowed to happen at the hands of the County of Lake Board of Supervisors and those they employ less Denise Rushing.

Donna; instead of attacking those who share in your frustrations you might be better served to address those who can affect the chance necessary to relieve your frustrations; those who have ask for your trust and sought out your trust; the elected official and those they employ.

My only expectation of this government; is that the government we have in place now; can sustain enough order long enough; so that those we have entrusted this government unto; are able to relieve the level of frustration we now find ourselves at before it reaches the heights of anger and we start clubbing one another.

 James - Donna Registered | 11-07-2007 17:36:20

Before I reply lets make sure your remarks are addressed to me?

 James - Donna Registered | 11-09-2007 10:26:49

If the remarks were dicreted at me, please say so and lets have a dialogue. Now if I could be indulged! I said the truth as one draged through the sewer called the court house and the five males called the board of supervisors for six years. I assure you I know what i'm talking about. This local government has known the problems with manufactured housing and contractors long before Denise Rushing and Janis Paris Put their head in the door.It wasn't only the Feds, State but our local government as well No where did I state we should not be protecting the citizens my God I tried for six years. Lastly all the males on that board lied and they covered the lies up. The other remark I will let stand. Thank you I can see you are concerned.

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