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Record Bee.com
 WEDNESDAY, November 14, 2007

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Board passes resolution on manufactured homes

By **Tiffany Revelle--Record-Bee staff**

Article Last Updated: 11/13/2007 10:51:11 PM PST

LAKEPORT -- The county board of supervisors passed a resolution Tuesday that requires the county chief building official to mail a simple version of consumers' rights to manufactured home buyers when an application for a building permit is submitted to the county planning department.

The resolution comes after the board adopted ordinance 2840 on Sept. 25, which requires manufacturers to give the same disclosure to buyers before money is exchanged. The one-page disclosure informs buyers of a legal right to hire an attorney and a private inspector to ensure conditions of the purchase agreement are met and to have a construction deadline, among other rights.

Tuesday's discussion was continued from last week, when County council Anita Grant suggested that the board rescind the original ordinance after hearing from the California Department of Housing and Community Development (HCD) that the ordinance is invalid because it is preempted by state laws.

"State law takes a position that certain notices are required and those notices are to be issued and made consistently throughout the state," Grant said Tuesday. "There's an argument that can be made that the county ordinance, because it's adding an additional element,

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is entering a field that's already covered by state law, thereby pre-empted."

Robey argued that the ordinance did not add an element to state law, but required a disclosure of rights that was "just simpler, more legible and in bigger type."

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Grant told the board that the disclosure does not add to state law. "It was simply designed to be a big red arrow look here," Grant said.

California Manufactured Housing Institute board chairman Robert Angel said he believed that the requirement was unfair to the manufactured housing industry. Asked why the disclosure created problems for manufacturers by supervisors Anthony Farrington and Rob Brown, Angel said, "It became discriminatory towards the local dealer ... why am I having to do this here? And if I buy the house from Ukiah and ship it in here, they don't have to do this."

"I guess that's a difference of opinion," Brown said. "If I were a consumer and I was dealing with somebody from out of Lake County that was just giving me legalese or dealing with somebody local that was just giving it to me in plain talk, I would prefer that. I would rather deal with somebody like that, so I don't know how that's discriminating against you or your industry."

Disclosures currently required are four pages long in small type and are provided toward the end of the transaction, after money has been released out of escrow, according to Janis Paris. She and her husband Paul Frindt brought the issue to District 3 Supervisor Denise Rushing after having problems including leaks mold with their manufactured home, and after hearing from several neighbors about a gamut of other problems.

The board directed Grant to research the possibility of using a fine to enforce the disclosure.

Rushing said she will try to get support from state legislators in changing state law so that all manufacturers will be required to clarify current disclosures of consumer's rights.

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