

Effective Management for Manufactured Housing Communities



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The manufactured housing industry is quite mature—there have been virtually no new parks built in California for many years. A great number of parks are owned or managed by companies with extensive management experience. Despite these truisms, a “refresher” on what works and what should be reviewed is a beneficial exercise. Here is a short compendium of observations about management policies.

Alternative Dispute Resolution Agreements

Offer arbitration and mediation agreements. Such agreements allow disputes between a community and a community resident to be resolved outside of the judicial arena. Arbitration can avoid the considerable costs and uncertainties associated with a jury trial. Eviction and injunction actions can and should be exempted from alternative dispute agreements.

Enforce the Community Rules Effectively

Document violations of community rules and regulations. Send “friendly reminders,” advising residents of the need to comply with the community's rules and regulations. Promptly serve the

appropriate notices to cure the violations. Be prepared to proceed with an injunction action or if necessary, termination of tenancy, if violations are not cured. Consistently enforcing rules and regulations reduces the risk of a claim that the community is discriminating against a particular resident. Furthermore, enforcing the maintenance standards set forth in your residency documents helps reduce the risk of claims by other homeowners that their property is being devalued by deteriorated conditions in the community.

Long Term Leases

Long term leases exempt a community from local rent control. Although many communities are not in rent control jurisdictions, there is the ever-present risk that rent control can be adopted in the future. Long term leases make the park a very “unattractive” target for tenants seeking enactment of a rent control ordinance.

Educate your Community Managers

WMA and other manufactured housing industry groups present seminars on community policies

and legal requirements applicable to manufactured home communities. For owners with multiple communities, an “in-house” seminar can be very informative and very “targeted” to your specific communities.

Create an Emergency Preparedness Plan

Be prepared for a disaster before it happens. California is prone to earthquakes and fires. Other areas of the United States are subject to hurricanes, typhoons and other natural disasters. Having a plan before a disaster strikes helps save lives and helps prevent a community owner from being sued for negligence should a disaster occur. The Red Cross and several government agencies provide guidelines for emergency preparedness plans. (See www.redcross.org/prepare/disaster.)

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Have Adequate Liability Insurance Coverage

Make sure the community has adequate liability insurance coverage, and that the insurance is renewed on a timely basis and coverage is in existence at all times. Periodically review the coverage needs of your community to ensure that your community is adequately protected. Be sure your policy addresses “failure to maintain” and provides the carrier will pay attorney fees for a homeowner who has filed suit and won (if fees are awarded).

Comprehensive Residency Application

A comprehensive residency application allows you to review substantial information about the prospective residents and their qualifications to rent a homesite in your community. By obtaining this information, your managers are better able to filter out potential disruptive or troublesome residents before they become tenants in your community and gain substantial rights they would not otherwise have. Caveat: State law [Mobile-home Residency Law] limits the grounds for denying an application for tenancy — so do not ask for information you cannot use.

Regularly Schedule Infrastructure Inspections

If your community does not do so already, establish regular inspections of the roads, utility systems, and infrastructure in your community. Not only will this help prevent accidents (and lawsuits) from occurring in your community, but this can help ensure that the roads, utility systems, and infrastructure in your community are in good repair, improve resident relations and reflects a sense of pride-in-ownership. This

benefits both the resident and the community owner.

Regularly Schedule Maintenance of Common Area Facilities

Community owners are responsible for maintaining common area facilities. By conducting regularly scheduled maintenance of common area facilities, community owners prevent accidents (and lawsuits). Consider having your community inspected by a certified ADA inspector to analyze potential ADA compliance issues.

Remember Resident Relations

Organize community social events. One example is having various health organizations or someone from the local fire department come to the community and give residents information about health or fire safety. Ice cream socials, barbecues, and holiday parties can be wonderful social events for your community that can foster positive resident relations. An “open-door” policy welcomes residents to discuss issues with management and promotes positive resident relations. Lawsuits against community owners by disgruntled residents are the extreme form of a resident looking for a way to get the community owner’s attention.

Be Involved with Local Government

Get to know and encourage your community manager to get to know local government officials. Developing a good working relationship with city or county staff helps problems be avoided or more readily resolved. Knowing your local city council and local building inspector means you can get an audience when you need to tell your side of a dispute.

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