

# Penticton & District Manufactured Home Owners Association NEWSLETTER

PO BOX 22020, PENTICTON, BC, V2A 8L1

Website: [pdmhoa.ca](http://pdmhoa.ca)

(P&DMHOA)

APRIL 2019

Incorporated on July 19, 1985 under the Society Act

*Your Voice For Manufactured Home Owners*

*We share these facts with all Tenants in the 47 parks with 2,200 lots in the RDOS area. Last year we printed a 12 page newsletter full of valuable information and delivered it FREE to all the tenants' homes yet only 700 of the 2,200 purchased a membership.*

*Tenants we can only help you, work with you and protect you as a member of P&DMHOA.*

*What really concerns us is the large number of tenants that do not fully read the newsletter nor keep it to refer to and have knowledge to protect them. Nor do they know and understand their rights and how to protect themselves with the Manufactured Home Park Tenancy Act of BC when harassed, bullied and threatened with eviction by management.*

*Some things Tenant did or didn't do that cost them grief, stress, hardship, worry and money.*

Did not use RTB-10 form to transfer pad rent to purchaser pad rent up \$50- \$265 M. Lost sale

Did not use RTB-10 form manager said purchaser had to take big tree out at his cost. Lost sale

Did not use RTB-10 form manager said purchaser must maintain retaining wall. Lost sale

Tenant threatened with eviction if did not sign \$100 pad rent increase, Did. Did not have to

Dog grew 2" over rules threatened with eviction if did not remove dog Did. Did not have to

Tenants told have to put RVs in storage lot \$45 M. Did (Could be Grand fathered in on pad)

Park Rules said only 2 can live in home, More Can. Management denied a caregiver/relative.

Park Rules said no children can live in a 55+ park. Yes they can Management denied children.

## **ANNUAL GENERAL MEETING AND ELECTION OF DIRECTORS**

**At Oasis United Church 2964 Skaha Lake Road**

**South of Walmart opposite side of street**

**SATURDAY, June 1 Starting at 1:30 PM in Penticton**

**This is an extremely important meeting please everyone come out**

**Many of our long time Directors have retired.**

**We urgently need new directors to replace them so we can carry on**

***All paid-up members are eligible to run to be Directors.*** All Residents Of  
Manufactured Home Parks Are Invited. Bring your questions, concerns for answers.  
Refreshments will be served after the meeting with time to engage with Directors, Park  
Reps, and neighbours, sharing information, concerns, new ideas, victories ask your  
questions and visiting with new friends and old

**BC Manufactured Home Owners (BCMHO)**  
(Formerly Active Manufactured Home Owners Association. AMHOA)  
Working For Manufactured Home Owners Since 1971

New Name, New Look, New People - Same mission. Formerly known as the Active Manufactured Home Owners Association, We are Lobbying for changes to the Manufactured Home Park Tenancy Act to make it fairer for Homeowners and Landlords

**Issues we are working on for 2019**

1. Clarify the Tenant Compensation if a park is closed.
2. Eliminate the "Proportional Rent Increase" (Pass through increase expenses)
3. Assignment of Lease to the Next Tenant (RTB-10 pad rent enforcement)
4. Clarify Standard Park Rules (A set of Standard Park Rules for all Parks)

**\*\*\* Visit the website at [www.bcmho.ca](http://www.bcmho.ca) for a wealth of information \*\*\***

< For improved Tenant benefits and protection become a member of BCMHO >

**The New Compliance and Enforcement Unit of the RTB.**

*In 2006 the new Act was introduced as amended and the Administrative Penalties section of the MHPTA and RTA were introduced but not passed. The provisions were brought into force in March 2008. The RTB has hired a new director and staff for the compliance and enforcement unit and are now fully operational. This is a streamlined Tenant's process (Rather than arbitration) for the tenant to provide evidence of serious, repeat and deliberate non-compliance with tenancy laws to the Compliance Unit and they will investigate and take the action needed to achieve compliance with tenancy laws. **The unit will oversee the investigation of cases of serious, repeat and deliberate non-compliance with tenancy laws and will have authority to levy monetary penalties of up to \$5,000 per day.***

\* \* \* P&DMHOA for its members in Country Pines have filed two evidence packages to the new unit. We were advised by RTB that the manager was in non-compliance with tenancy laws in both cases and will investigate and see that he is compliant with tenancy laws. The manager was given definite evidence he was non-compliant with tenancy laws in both cases. "His reply was take me to arbitration" he repeatedly and deliberately continued to be non-compliant with tenancy laws. The \$150 Administration fee charged to the selling Tenant is non-compliant with tenancy laws. Only the RTB-10 Form is used as a Pad Rent Transfer Only to the Purchaser. A Copy of the Tenants Original Tenancy Agreement and the Park Rules Are Not Attached to the RTB-10 Form and Parkbridge do not accept the purchaser with documents they do not get.

**They Have the New Tenants Sign a New Parkbridge Tenancy Agreement.**

**This Nullified the Selling Tenants Pad Rent Anniversary Date. This is a Pad Rent Only Transfer and Not a Lease Transfer. Purchasing Tenants Anniversary Date should Legally be one year later from when the Tenancy Began. Not on the previous tenants anniversary date as they have been doing. This is Non-compliant with tenancy laws.**

## **LANDLORDS/MANAGERS MANAGING MANUFACTURED HOME PARKS IN BC**

There are several Parks in the RDOS area that are well managed by management. They know and understand the Manufactured Home Park Tenancy Act of BC and manage their park according to the Act. Have good management skills, communication skills, people skills and administer the Park well treating all Tenants equally and fairly. They respect and work well with all their tenants fairly trying to solve concerns equally and fairly for mutual benefit.

Unfortunately there are some Parks in the area that are poorly managed by management. They do not know and understand the Manufactured Home Park Tenancy Act of BC or just ignore it. Have poor or no management skills, lack communication skills, people skills and administer the Park poorly. They do not treat all Tenants equally and fairly and have no respect for the tenants.

Because of the lack of knowledge of the act and lack of skills they use bullying tactics, harassment and **threaten eviction** to get tenants to do their unreasonable requests. *Tenants live in fear of management, their non compliant requests to the Act harassment and many threats of eviction.*

I am President of P&DMHOA. I lived in a MHP for 13 years, formed the local park association, have also been active for 8 years with P&DMHOA, did several RTB Arbitrations and lost only 1 and assisted in several others. I'm knowledgeable in the Manufactured Home Park Tenancy Act of BC and have ongoing communications with the Senior Information Officer of the Residential Tenancy Branch.

**Let me assure all Tenants management threats to evict you are mostly just scare tactic threats. Management cannot evict you under the Act they must serve you with a RTB Notice to End Tenancy. You would file an RTB-12T Tenant's Application for Dispute Resolution. Management files a detailed true evidence package. The Tenant files a detailed true evidence package. (Tenant can use a legal advocate). Arbitrators evaluate both parties evidence and will only evict a tenant for very serious offences not on the whim of management. Arbitrator rules fairly. Tenants Stop living in fear. Speaking up for yourself or having P&DMHOA (If you're a member) or an advocate help you solve your problem, stand up, find your voice is important to everyone.**

P&DMHOA advised and put two arbitration evidence packagers together for two tenants in Peach Cliff Estates and the Chair of the Park Association helped too. The legal advocate David at Pentiction & Area Access Society (PAAS) worked with the tenants and did the Arbitrations. \* The first was in regards to 9 trees planted by the tenant 20 years ago. **The park manager insisted that the "trees must be trimmed to height no higher than roof of mobile"**. This was very unreasonable request and no other trees in the park were trimmed to the roof tops. In the arbitration the Landlord contradicted the Manager said did not want the trees trimmed to height of the roof of the mobile they just had to be pruned. The tenant had the tress professionally pruned as the owner requested and sent the arborist invoice to the Landlord and manager which stated all the trees were healthy. The tenant had an offer on the mobile and used the RTB-10 form to get the managers approval of the purchaser. The manager approved the purchaser. \* But Put This Note on the Returned Form "***There is an outstanding notice in regards to trees which has not been completed by the seller***". And attached a letter #4 said "**trees must be trimmed to height no higher than roof of mobile**". *The manager was involved in the arbitration and totally disregarded the arbitration..Also totally Ignored the Landlord's Instructions That The Trees Just Be Pruned..* \* This statement and letter if it causes the purchaser to walk away from the sale the manager is liable to purchase the home for cash at the selling price. This happened in Pentiction in Pleasant Valley Park where the manager made a gross error like this manager has, and had to purchase the unit for cash at the accepted sale price.

\* The second one had to do with an executor of a will who was harassed by the manager. The Act says an executor assumes all the rights of the previous tenant, including living in the home, pad rent, park rules, etc. The manager said the Tenancy was assigned **but does not include the right for anyone to occupy the site and in addition refused to accept the pad rent from the executor.** The manager was given the MHPTA information that the executor assumed all the **rights including could live in the home.** Even with this info the manager did not comply with the MHPTA and said the executor could not live in the home. The manager wanted the executor to sign a license to occupy (This was not a tenancy agreement) the home at \$16.75 a day but only till April 30, 2019 with all kinds of restrictions. If the manager did not extend the license to occupy the home in April the tenants had to remove it from the park and the tenants clean the site. The executor was hassled so much by the manager she purchased a home in Olive and moved out of the park. Had the manager complied with the executor rights as stated in the act, would have stayed in the park till the home was ready to sell and sold. Both of these arbitrations were settled in negotiation with the arbitrators to the benefit of the tenants. *Had the manager made a reasonable request in regards to the trees and complied with the MHPTA these never would have had to go to arbitration.*

### **DO YOU WANT TO SUCCESSFULLY SELL YOUR HOME IN A MH PARK?**

*If you want to sell at a fair price in a reasonable time frame without hassles and problems then you must use the **RTB-10 FORM TO PASS YOUR PAD RENT ON TO THE PURCHASER** If you do not use the **RTB-10 form the landlord may raise the monthly pad rent to the purchaser to whatever sum they like. The purchaser may only purchase your home if they get a low purchase price from you for the home to compensate for a higher pad rent. A higher pad rent can affect your ability to sell. Purchasers sometimes will walk away because of the higher pad rent. Landlords have Raised Pad Rents by \$50.00 to \$265.00 a month to Increase their Income.***

### **IMPORTANT GUIDELINES FOR SUCCESSFULLY SELLING YOUR HOME IN A PARK**

Contact Landlord/Manager and arrange for a SAFETY inspection of the outside of your home and property in preparation for the sale several days before listing your home. You quickly need a written report of any safety issues so you can complete them before listing your home. Safety issues like a board on steps or a deck, which need replacing, railing that need replacing or repairing. (Landlord/Manager requests like change the color of skirting, steps or a deck or remove a shed or fence are not legal Safety issues. If a Landlord/Manager harasses you about doing non safety issues or demands you do them before they will approve your purchaser, file arbitration. If you do not satisfy the demands of the Landlord/Manager they may tell the purchaser they have to sign a letter they will do them. You may lose the sale on your home as the purchaser may walk away. Choose a realtor that is knowledgeable and experienced in selling manufactured homes in a park to handle the sale of your home. Inform the realtor that you want to use "Request for Consent to ASSIGN a Manufactured Home Site Tenancy Agreement RTB-10 form. Make it clear you require them to assist with all aspects of the form

***If the Realtor will not agree to do this, do not use them! Find a Realtor that will.***

The RTB-10 completed form immediately needs to be served on the Landlord/Manager if they are local by the realtor or you with a witness. Document the serving date and time. If landlord/management refuses to accept or say they do not accept the RTB-10 Form then leave it there and say you are served. **Do not email or fax it to Landlord/Manager.**

If it cannot be physically delivered to the Manager/Landlord then immediately send it by Registered Mail this will give you a confirmation of the delivery date.

The RTB-10 Form must be returned with written approval or not approved with written valid substantiated reasons for not approving the purchaser within 10 days of receiving it. Landlord/ Manager may not phone or email a reply. If the homeowner does not receive the form back from the Landlord/Manager, by the end of the time limit, the tenancy is considered given.

Be sure that the Realtors and Purchasers understand the Purchasers do not talk to or meet with the Landlord/Manager till after the RTB-10 form is completed and returned and they are approved (Important Point) If they do you may lose the sale.

**[www.rto.gov.bc.ca/documents/RTB-10.pdf](http://www.rto.gov.bc.ca/documents/RTB-10.pdf)** This link will allow you to Download and print the RTB-10 form. You can get the form also at any SBC location.

**When you use the RTB-10 form only and the Tenants tenancy agreement and park rules are not attached to it for the landlord to accept as documentation for the purchaser to enter the park this is a pad rent transfer only to the purchaser. As soon as the purchaser signs a \*\* new tenancy agreement it nullifies the sellers pad rent anniversary date. The purchasers pad rent cannot be increased till the Purchasers anniversary date one year later. \* \* This has been verified in Arbitrations. \* \***

**P&DMHOA Website: [pdmhoa.ca](http://pdmhoa.ca)** Please visit the Website frequently as it is updated often and has very valuable information pertaining to Mfg Homeowners, the MHPTA, News and Upcoming Events. MHP Locations, Park Size, Aerial View and Directions to the Park, Archived Newsletters are a great resource for information, Resources Links, RTB & AMHOA. Don't have a computer then ask a friend to tour the web site with you. Our web site was designed and has been maintained over the years by our volunteer Webmaster Ray Bibby who no longer lives in a home park. *We sincerely thank Ray for his devoted volunteer services now and over the past years.*

**THIS GOVERNMENT RESIDENTIAL TENANCY BRANCH OF BC WEBSITE HAS LANDLORD AND TENANCY INFORMATION. It is quick and easy to navigate. There is a wealth of information and forms.**

**If you have questions you can find answers quickly. Know your rights and responsibilities under the Manufactured Home Park Tenancy Act of B. C.**

**[WWW.gov.bc.ca/landlordtenant](http://WWW.gov.bc.ca/landlordtenant)**

Phone – 1-800-665-8779 toll-free - EMAIL: [HSRTO@gov.bc.ca](mailto:HSRTO@gov.bc.ca)TENANTS

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## <IMPORTANT MESSAGE TO ALL OLLALA and KEREMEOS TENANTS>

There are many parks without any Park Reps or Resident Newsletter Deliverers. Dianne & Rick have for years Delivered to the Newsletter Deliverers & All the Tenants in Parks without Park Reps or Newsletter Deliverers in the area. **They Have Retired.** *So there will be no delivery to any of these parks Unless all have Park Reps or Newsletter Deliverers to do so. A Tenant in the area needs to Volunteer to Deliver the Newsletter Packages to the Newsletter Deliverers in all the Parks*

Penticton & Area Access Society (PAAS)

209 - 304 Martin

Street, Penticton BCV2A 5K4

Toll free. 1-866-493-6822 • Phone 250-493-6822 • Fax 250-493-6827

<http://accesscentre.org>

This program offers information and assistance for those people living in the South Okanagan & Similkameen. Services are confidential and at no cost.

MHP tenants have utilized this service for successful negotiation for Tenant's Rights: People with disabilities: Eligibility and applications for provincial and federal disability benefits; appeals, reconsiderations, and tribunals.

They offer many services.-Small Claims, Debt & Human Rights Complaints, Legal Advocacy, Tenancy and Landlord, free Tax Assistance, Resources and Referral, Outreach, Service Directory-60 pages - The Little Book of Resources and Community services. EVERY ONE SHOULD GET A COPY

We have skilled advocates who will listen, explain your legal rights and assist you to ask for what you need from a government agency, doctor, landlord or even a neighbour. We can help you make applications, assist you with forms, plan an appeal, accompany or represent you at a hearing and make referrals to other agencies.

Speaking up for yourself or having an advocate help you find your voice is important to everyone. We seek to empower women and men to ask for and receive what they need from government agencies and the community.

PAAS's regular drop-in hours in Penticton are 1 pm to 4 pm on Monday, Tuesday, Thursday, and Wednesday 1pm to 3pm. Closed second Thursday of every month. PAAS offers a separate advocate for outreach service in Oliver, Osoyoos, and Keremeos. Call (250) 535-1099. Also offers an outreach service for Summerland on Tuesdays. Call (250) 490-7101.

*Another resource for finding advocacy support in BC [www.povnet.org](http://www.povnet.org)*

### SAFER – SHELTER AID FOR ELDERLY RENTERS

**Manufactured Home park tenants are eligible for this program. Pad fees are considered rent. If you are 60+ years old and your monthly gross income for singles is less than \$2,446, (\$2,666 for couples) and you pay more than 30% of gross income for pad rent, you may be eligible for rental assistance. Call BC Housing at 1-800-257-7756, check their website at [www.bchousing.org](http://www.bchousing.org) - Visit Service BC Office to get the information & brochure.**

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< IMMEDIATE ACTION & RESPONSE IS NEEDED NOW, CALL TODAY >

**\*\*\*Urgently Need Park Reps & Newsletter Delivery People\*\*\***

\* Call Members phone #'s on back page for Information or to VOLUNTEER

*If your park has **NO Park Rep listed below** it is very important that a park Tenant Volunteer Immediately so your park has a voice and we have ongoing dialogue between us to fully protect all Tenants under the MHPT. If your park is listed below having **NO Park Newsletter Delivery Resident Tenant** it is extremely important that a park Tenant Volunteer Immediately it only takes a few minutes in April and October. If no Tenant Volunteers to Deliver the Newsletter Your Park Will Not Get Any More.*

**PENTICTON:** Figueira's , Holiday, White Water, Need \* Park Reps

**OLIVER:** Tumbleweed, Green Acres, Weeping Willow, Need \* Park Reps

**OKFALLS:** Skaha Terrace, Need \* Park Rep & Newsletter Deliverer Peachcliff Estates, Need \* Park Rep \*\*\*

**KEREMEOS:** Ridge View, Lucky R, Riverside Estates, Need \* Park Rep. Copper Ridge, K Mountain, Need \* Park Rep and Newsletter Deliverer

**\*\*\* OLLALA:** Cherrywood, Ollala, Ollala MHP, Stewart's, Victoria Pines and Whispering Pines, Need \* Park Reps or resident Newsletter Deliverers **PRINCETON:** Need \* Park Reps or Newsletter Delivery people in 6 Parks

\*Tenants should never talk to the Landlord/Manager without a witness present.

\*All communication between Tenants and the Landlord/Manager need to be in writing. If a Landlord/Manager ask you to do something verbally do not do it, tell them they must put it in writing. If not in writing do not do it.

*If your park has **NO Park Rep** to collect your membership dues please fill out your membership application and mail it with your cheque today! Thanks*

*The more parks and tenants that join us the stronger we are to have our voices heard effecting beneficial changes for your protection and quality of lifestyle offering peace and harmony in your park and better resale values!*

**Penticton & District Manufactured Home Owners Association**  
**Meeting Schedule 2019**

**JUNE 1/19 Annual General Meeting**

June 14/19 Executive Meeting - *Summer/Recess*

Sep 13/19 Executive Meeting

Oct 11/19 Executive Meeting - *Newsletter Pick Up*

Penticton - Sat

Penticton - Fri

Penticton - Fri

Penticton - Fri

**\*\* KEEP THIS NEWSLETTER HANDY FOR EASY REFERENCE \*\***

**Membership - Don't Delay Join TODAY! THANK YOU**

**Our only source of income is Your membership fee.** If you value the efforts of YOUR Association, your \$10 annual membership is a token investment (less than three cents a day) in our shared future. We want to continue to publish newsletters and fight for your rights and protection from increased fees and regulations, see landlords/managers comply with the MHPTA treating all tenants equally and fairly so tenants can live without fear in peace and harmony If you have No Park Rep collecting your membership, please mail your Membership form and payment TODAY. Thank You

**\*\* HELP IS JUST A PHONE CALL AWAY FOR MEMBERS: \*\***

**If YOU Are a Member of P&DMHOA**, (Sorry if you are not a member of **P&DMHOA** we cannot help You) call, Ken 250-498-2885, Gerry 250-492-0267, Carol 250-498-8427, Mike 250-462-1257. If you have questions, concerns, want to know your rights under the MHPTA, been threatened, given a RTB eviction notice, for advice on how to proceed with your problem call us.

Please Call **ONLY** Between 9:00 AM & 6:00 PM: *Thanks*

**2019 MEMBERSHIP FORM: RENEWAL \_\_\_\_\_ NEW \_\_\_\_\_ PLEASE TICK**

**Penticton & District Manufactured Home Owners Association**

P.O. Box 22020, Penticton, B.C. V2A 8L1

**NAME \_\_\_\_\_ UNIT # \_\_\_\_\_**

**PARK NAME \_\_\_\_\_ CITY \_\_\_\_\_**

**MAILING ADDRESS \_\_\_\_\_ POSTAL CODE \_\_\_\_\_**

**PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_**

**ANNUAL DUES: \$10.00 per site. Cheques payable to PDMHOA**

General donations are greatly appreciated; please make cheques payable to PDMHOA

***Thank you for your moral, financial & volunteer support to YOUR association***

***OUR STRENGTH IS IN OUR MEMBERSHIP ---- ARE YOU A MEMBER?***