

# **Penticton & District Manufactured Home Owners Association**

## **NEWSLETTER**

**PO BOX 22020, PENTICTON, BC, V2A 8L1**

**Website: pdmhoa.ca**

**(P&DMHOA)**

**APRIL 2017**

**Incorporated on July 19, 1985 under the Society Act**

*Your voice for manufactured home owners*

P&DMHOA have published Newsletters in April & October for many years to continually advise, support and work with all members, keeping all Tenants fully informed and aware of and up to date of changes that may affect us all. We cover the RDOS area 47 parks.

OUR GOAL as a group of concerned and knowledgeable volunteers is to keep residents in manufactured home parks aware of their rights under the Manufactured Home Park Tenancy Act of BC and support our members as needed.

The Manufactured Home Park Tenancy Act and Regulations are the governing guidelines, policies, regulations and rules in which Manufactured Home Parks must operate under in BC. Landlords, Managers and Tenants must know and understand the Act all working together under the Act striving for a park where the Act is administered; equally, fairly with respect for each other, all living in peace and harmony.

Harmonious parks have changed overnight (new owner/manager) and tenants that don't know the Act and Management think it is their park and can do what they like. Parks with no Park Rep or Newsletter deliverer and few members to P&DMHOA, lack the information and knowledge of their rights under MHPTA are paying more than legal pad rent, have signed stricter rules (Act says You don't sign rules) had rent cheques refused, received unnecessary eviction notices, been harassed by managers, are living in fear, scared to speak up for their Tenants rights under the Act.

Attempting to deal with a park problem on your own can be stressful, intimidating and, in some cases, very costly. Current members of P&DMHOA know they can count on their organization for assistance when needed. Membership fees are a minimal \$10 annually and it is our organizations' only source of income in our shared future.

### **ANNUAL GENERAL MEETING and ELECTION of DIRECTORS**

**Friday, May 26 starting at 1:00 PM in Penticton**

**At the Royal Canadian Legion Hall (502 Martin St.)**

All paid-up members are eligible to run for Director. All residents of manufactured home parks are invited. Bring your questions, concerns for answers. Refreshments will be served after the meeting with opportunities to engage with Directors, Park Reps, and neighbours sharing information, concerns and making new friends.

This letter is a sample of the type of request for help we get from P&DMHOA members.

Attention: Members of Penticton & District Manufactured Home Owner's Association Re: Increase in pad rents in a Manufactured Home Park by a new Landlord south of Penticton

*I am very thankful for the PDMHOA. I hope everyone is a member! Thank you for all the work that you do for those who live in Manufactured Home Parks! I truly appreciate all that you do for us!*

*The new the owners (Landlord) have filed a arbitration with the Residential Tenancy Branch that they desire to increase the pad rental 30% over the next 27 months.*

*I have lived in this Park for over 2 decades, it was the only place that was affordable as I only live on the OAS and GISL. It was the only place that was QUIET! Neighbors were good, things went very well!*

*I can only explain my feelings over this rental increase! It has caused considerable stress in my life! As a senior the last thing we need is more stress! Dealing with life every day is a challenge! Health concerns increase as we get older! I have a great fear I will be homeless and if that happens I will no longer live on this earth! As a senior in Canada I should be allowed to live my senior years in peace and harmony to the best of my ability! This issue with the increase in pad rentals has absolutely sent my mental health into a tail spin!*

*It is ludicrous! I feel that I am being bullied by the new Landlord I am imploring the PDMHOA to stop this increase. I appreciate the PDMHOA's help on this case, and I also appreciate that we have a Park Rep to PDMHOA living in our Park who is willing to fight against this increase! I am very thankful*

*I urge the PDMHOA to fight to the limit to put a stop to this increase!*

*Thank you again for all the work that the PDMHOA does for us.*

*Yours Truly*

*A Cry For Help*

*A Stressed Tenant*

### **The Tenancy Agreement (Form RTO-5)**

This is a legal contract between you and the park owner. The standard Tenancy Agreement is a form supplied by the provincial government Housing Ministry; however, the landlord may choose to use a form of their own design. Any term in an agreement that contradicts provincial law will not be enforceable and is of no effect. If a landlord attempts to enforce a rule that contradicts the Act, a tenant may file for dispute resolution through the Tenancy Office. You should have a copy of your Tenancy Agreement; in fact the law requires that you receive a copy within 21 days of signing. Make sure you fully understand all terms of the Agreement before you sign it. Even if your agreement is not on the standard form, or you don't have one at all, the terms of the standard agreement are enforceable under the Act. You only sign One Tenancy Agreement. A New Landlord cannot get you to sign a New Tenancy Agreement.

### **Use RTB-10 Form to Transfer Your Pad Rent to Your Purchaser**

RTB-10 remains problematic relating to assigning current pad rent to buyers. Realtors often don't want to be bothered with the paperwork that can delay the sale. Sellers often don't know about or are unwilling to deal with the paperwork and procedures involved with the RTB-10. All this in despite a clause in the sales agreement for manufactured homes on rented land refers to RTB-10 form.

This is a legal provincial government form the landlord must accept and reply to in writing within 10 days. If they do not, it is automatic acceptance. The landlord may only refuse the purchaser for the reasons listed on page 6 of the RTB-10 form. If consent is unreasonably withheld, you as seller can apply for an arbitrator's order to have the tenancy agreement assigned. 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, which can affect your ability to sell your home. If the landlord keeps increasing pad rents on home sales, eventually there may be enough higher rents in the park to go to arbitration and try to get all the pad rents in the park raised to the higher rents. This recently happened in two parks \$50.00 a month in one and \$100.00 a month over two years in another.

**When you use the RTB-10 form to transfer your pad rent to the purchaser and they sign a \*\* new tenancy agreement this is a rent transfer only and it nullifies the sellers pad rent anniversary date. The purchasers pad rent cannot be increased till their anniversary date one year later. \* \* This has been verified in Arbitration.**

## **FACTS ABOUT SMOKE ALARMS**

\*Protect yourself, your family & neighbours. \*Smoke alarms save lives your home & contents. \*Test your smoke alarm regularly at least monthly. \* Change your batteries yearly. \*Gently vacuum alarm every six months. \*Smoke alarms don't last forever, change every 10 years. We have all seen the tragic loss of mobile and manufactured homes, contents, lives and neighbours units too, all because they did not have functioning up to date alarms. Please take action right now. Is your alarm functioning, newer than 10 years? Replace it immediately with a quality alarm if not. Most trailers and manufactured homes have a hard wired smoke detector that only works when the electricity is on. In a power failure you have no protection. You need to replace it with a new hardwired alarm with battery backup. If you're hard wired smoke alarm is not that old to change add a battery smoke alarm.

## **HOME AND VEHICAL INSURANCE**

Do you have home and content insurance? *Lately there have been some devastating fires leaving families out on the street just with their clothes and they had no insurance.* It is imperative that you have insurance if there is any way you can afford it. Pay monthly.

Some

parks are making it mandatory to have home, fire, water damage and liability insurance also insurance on all vehicles and to prove it with a copy of the documents for the manager.

## **DO YOU HAVE THE 11th EDITION OF THE BC SENIORS GUIDE?**

Every BC household needs to have a copy to enrich their lives. It has 200 pages of extremely valuable reference information; services, resources, and a directory with all contact information that covers every aspect of senior's lives in BC. Call the Senior Advocate's office at 1-877-952-3181 and ask for your free copy to be mailed to you.

Or you can pick up copies at any Service BC office.

## **WHO OWNS AND MUST MAINTAIN THE TREES**

In a MH Park trees belong to the land, which the landlord owns and is responsible for maintaining at their expense to an arborist safety standard. Section 26 of the Act confirms this. Tenants are not responsible for the trees on their pad and even if their park rules say so, it is not enforceable under the Tenancy Act. Your landlord can be taken to arbitration if they try to enforce this illegal park rule.

## **PREPARING YOUR HOME FOR SECURITY AND WHEN YOU ARE AWAY**

For Insurance purposes when you are away leave a calendar on the kitchen counter with a pen so the person checking your house daily can sign it and mark the time down. This is an insurance requirement. Turn your main water tap to your home OFF. Turn your toilet tank off and drain the tank. Recently there have been several homes with extensive water damage.

It is very inconvenient and takes a long time to get repaired you have to pay your deductible and your insurance will go up at least \$100.00 for 3 years.

It is a good deterrent to place a couple of timers set to different times on lights in different rooms that can be seen. Check you have good locks and deadbolts on all exterior doors on your home, garage and sheds. Are all windows locked a stick in all windows adds extra security. If you have a video camera systems and a security alarm system check all are in proper working order. Have a neighbor park their second car in your lane. Have someone cut your lawn and shovel snow. Tell your neighbours you are away for how long and give them and the manager a phone number. Does your park have a neighbourhood watch program?

## **TENANT DEATH OR BANKRUPTCY**

Residential Tenancy Policy Guideline GL-19 states: "The bankruptcy or death of a tenant affects the tenancy. When someone is named as the executor or administrator of an estate or a trustee of a bankruptcy, the law assigns the rights and responsibilities of the tenancy to that person - they may choose to either continue the tenancy or give notice to end it.

Where a tenancy has been assigned in this way, the landlord's consent isn't needed. However, it's always good for the executor or administrator to inform the landlord of their involvement and keep the lines of communication open."

If this landlord wishes to end this person's tenancy based on an age restriction I would be suggesting that the tenant dispute on the grounds that since they were already in the park and possibly on the tenancy agreement - there are no justifiable grounds for asking them to leave based solely on age restrictions. Ultimately it would be up to an arbitrator but it also may be a Human Rights issue as well

## **IN THE EVENT OF DEATH OR DIVORCE OF A TENANT**

If the Title to your home includes your spouse, you will want to amend it to your name only. You must do this before listing your home for sale.

You do not need the services of a Lawyer or Notary to do this. Simply take all of the relevant documents including the Death Certificate to your local Access BC Office and they will make the necessary changes, usually in less than a day.

This only applies to Homes in a Park. If you own the land under the Home, it must be transferred at the Land Title office in Kamloops.

Joint Title to Vehicles, Boats, R.V.'s can be amended the same way.

Some Members have spent hundreds of dollars to have this done by a Lawyer or Notary after receiving incorrect advice by a third party.

Penticton & Area Access Society (PAAS)  
209 - 304 Martin Street, Penticton BC V2A 5K4  
Toll free. 1-866-493-6822 • Phone 250-493-6822 • Fax 250-493-6827  
[www.pawc.ca.info@pawc.ca](http://www.pawc.ca.info@pawc.ca)

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 to a successful negotiation Tenant's Rights:

Have you been given an eviction notice, is your landlord refusing to do repairs or threatening you in some manner?

People with disabilities:

Eligibility and applications for provincial and federal disability benefits; appeals, reconsiderations, and tribunals.

Small Claims, Debt & Human Rights Complaints:

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.

PAAC's regular drop-in hours in Penticton are 1 pm - 4 pm on Monday through Thursday, with no drop-in on the second Wednesday of each month.

PAAC 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)***

**P&DMHOA Website; [pdmhoa.ca](http://pdmhoa.ca)** Please visit the Web Site Frequently as it is updated often with Valuable Information Pertaining to Mfg Homeowners. Upcoming Events, MHP Locations Park Size, Aerial View and Directions to the Park, News, Interesting Facts, Achived newsletters Resources, Links, RTB & AMHOA. Don't have a computer then ask a friend to bring the web site up and tour it with you. This web site is maintained Thanks to our Webmaster Ray Bibby.

*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 in your park! "Our Strength Is In Our Membership"*

**Need Park Reps & Newsletter Delivery People - \* \* CALL # Below**

**Princeton** has no \* Park Reps or Newsletter Delivery people in any of the 6 parks: **Deblyn, Lynnwood, Martin's Lake, Penryn, Pines, Taylor Mill.**

**Keremeos: Lucky R** has no \* Park Rep or Newsletter Delivery. **Copper Ridge and Riverside Estates** have no \* Park Reps but do have Newsletter Delivery.

**OK Falls: Skaha Terrace** has no \* Park Rep or Newsletter Delivery.

**Ollala: Ollala, Ollala MHP & Campground, Stewart's, Victoria Pines, Whispering Pines** have no \* Park Reps or resident Newsletter Delivery.

**Oliver: Country Lodge and Weeping Willow** have no \* Park Reps or Newsletter Delivery.

**Penticton: Figuera's, Holiday and Whitewater** need \* Park Reps.

**\* If your Park has no Park Rep mail your membership in TO DAY\***

**SAFER – SHELTER AID FOR ELDERLY RENTERS**

MH

park tenants are eligible for this program. Pad fees are considered rent. If you are 60+ years old and your monthly gross income is less than \$2,223 (\$2,423 for couples) and you pay more than 30% of it for pad rent, you may be eligible for rental assistance.

You can determine if you qualify and about how much you may qualify for by using an online calculator. To find the calculator, use Google to search for "SAFER housing calculator". This takes you to a webpage that describes the calculator. It has a link in the second paragraph that takes you to the calculator. Set it to "heat not included" in pad fees, assuming this is the case. For an application, call BC Housing at 800-257-7756, check their website at [www.bchousing.org](http://www.bchousing.org) or visit your local Service BC Office.

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

**If you are a member of PDMHOA**, you can call **Ray 250-493-9106, Rick 250-499-9034, Dianne at 250-499-2665** for advice on how to proceed with your problem. Calls are accepted between 9:00 AM and 6:00 PM only.

## P&DNIHOA 2017/18 Meeting Schedule

<b>May 26</b>	<b>Annual General Meeting</b>	<b>Penticton</b>
June 9	Executive Meeting	Penticton
Sept 8	Executive Meeting	Penticton
Oct 20	Executive Meeting – Newsletter pick-up	Penticton
<b>Nov 17</b>	<b>General Meeting</b>	<b>Keremeos</b>
Dec 1	Executive Meeting	Penticton
Jan 5, 2018	Executive Meeting	Penticton
<b>Jan 26</b>	<b>General Meeting</b>	<b>OK Falls</b>
Feb 23	Executive Meeting	Penticton
<b>Mar 23</b>	<b>General Meeting</b>	<b>Oliver</b>
Apr 27	Executive Meeting – Newsletter pick-up	Penticton
<b>May 25</b>	<b>Annual General Meeting</b>	<b>Penticton</b>

\*\*\* Save this newsletter for future reference \*\*\*

### MEMBERSHIP

Our only source of income is your membership fee. If you value the efforts of this Association, your \$10 annual membership is a token investment (less than three cents a day) in our shared future. If you have No Park Rep please mail your Membership form and payments TO DAY. Have a Park Rep you can give to your Park Rep or mailed to: P&DMHOA, P.O. Box 22020, Penticton, B.C. V2A 8L1. Cheques payable to **PDMHOA** Thank you.

*Thank you for your moral, financial and volunteer support for our association*

**2017 Membership (calendar year)**      Renewal \_\_\_\_\_ or New \_\_\_\_\_

Name \_\_\_\_\_

Unit # \_\_\_\_\_ Park \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_

Postal code \_\_\_\_\_ Email \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell \_\_\_\_\_

*Do you have a 24 hour Emergency Phone Number for your Landlord/Manager the ACT says all Tenants in the park must have one?*