

# Penticton & District Manufactured Home Owners Association

## NEWSLETTER

PO BOX 22020, PENTICTON, BC, V2A 8L1

Website: pdmhoa.ca

(P&DMHOA)

APRIL 2018

Incorporated on July 19, 1985 under the Society Act

*Your Voice For Manufactured Home Owners*

### **President's Important Urgent Message**

*It is with great concern that I share these facts with all Tenants in the 47 parks with over 2,000 lots in the RDOS area. Each year only 600 of the 2,000 purchase a membership. Our only source of income is from Tenants purchasing a yearly \$10.00 membership to P&DMHOA. Our "annual" operating expenses increase yearly and our savings are diminishing. **If we do not get an immediate response to the 3 requests below it is quite possible during the coming year P&DMHOA WILL CEASE TO BE AFTER SUPPORTING TENANTS NEEDS FOR THE LAST 33 YEARS.** This means Tenants will be on their own, there will be no P&DMHOA TO CALL FOR ADVICE OR HELP, No two Newsletters yearly, No General Meetings in Your Area, No experienced Knowledgeable Directors or Park Reps to help you when Landlords/ Managers don't follow the MHPTA, illegally raising Rent or Evicting You.*

***Firstly,** Right Now fill out the membership form on the back page and mail in Your Membership TODAY. Thank You.*

***Secondly,** If Your Park on the inside back page shows there is no Newsletter deliverer or Park Rep, Please Volunteer TODAY. Thank You.*

***Thirdly,** over the last 4 years many Directors have retired after years of service **and we need new Directors so we can carry on.** Enquire and Volunteer TODAY.*

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

**Friday, May 25 starting at 1:00 PM in Penticton**

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

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

*Ray Nuttall is retiring after 12 years of Compassionate Dedicated Service.*

*Come pay tribute to Ray and say thank you for all he has done for You!*

All paid-up members are eligible to run to be a Director. 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 and visiting with new friends and old.

*\*This Newsletter copy is chosen to answer the most repetitive inquiries about concerns from many Tenants calling and emailing from many of the 47 parks we serve. You'll see some of the topics were published in previous Newsletters.*

P&DMHOA have in previous years sent money to the Active Manufactured Home Owners Association and supported them in lobbying the Government to better protect Tenants in Manufactured Home Parks. The NDP party has greatly improved protection for Tenants with these two very important announcements.

### **RECENT CHANGES TO THE MANUFACTURED HOME PARK TENANCY ACT.**

#### Section 33 of the MHP Tenancy Regulations:

Under this section a Landlord could apply for a special rent increase through arbitration, if they could prove that rents for comparable units in other parks in the area or their own park were significantly higher they could get a pad rent increase. Many Landlords attempted to use this clause to raise rents, and some succeeded.

**We are pleased to report that as of Jan. 11, 2018 this section has been repealed and Landlords can no longer compare rents to claim a rent increase.**

#### Section 44 of the MHP Tenancy Act.

This section stated that when a Park was closed, the Landlord must give one year's notice and only pay Tenants the equivalent of 12 months' rent, to assist in the relocation of their home. (Many older homes could not be moved so all you got for your home was the equivalent of 12 months pad rent. There are very few lots, newer homes can be moved to).

At a news conference in Penticton April 3 2018, Premier John Horgan announced that the BC Government planned to introduce new Legislation, **amending Section 44, specifically, to increase the amount to \$20,000.00 to move the unit or if the Home could not be relocated, the landlord would have to purchase the Home at its assessed valuation for tax purposes.**

### **HELP GIVEN TO P&DMHOA MEMBERS SOLVED SERIOUS CONCERNS**

\* A new park Landlord took Tenants to arbitration for a large pad rent increase, We advised and supported the P&DMHOA park Director and Tenants and they WON.

\* A Tenant was threatened with eviction we negotiated an agreement, No Eviction.

\* A Tenant with a new park Landlord the park Manager harassed and threatened the Tenant with eviction if they did not sign a tenancy agreement and move the RV to a new storage area for \$30.00 a month. With our info and support the Tenant talked directly with the new Landlord who said she did not have to sign a tenancy agreement and the RV was grandfathered in to stay on their lot till they moved or sold the RV.

\* Won arbitration when Landlords tried to evict a dog that grew larger than rules said.

**\*\* 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 Rick 250-499-9034, Dianne at 250-499-2665, Hugh 250 498 0145 if you have questions, concerns, want to know your rights under the MHPTA, been threatened, for advice on how to proceed with your problem call us. Please Call ONLY Between 9:00 AM & 6:00 PM:**

*Thanks*

**P&DMHOA Website: [pdmhoa.ca](http://pdmhoa.ca)** Please visit the Website frequently as it is updated often with 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 is maintained by our volunteer Webmaster Ray Bibby who no longer lives in a home park. *We sincerely thank Ray for his devoted volunteer continued services.*

**Section 33 of the Manufactured Home Park Tenancy Act (MHPTA) has been repealed, there are now only 3 ways a Landlord can raise Pad Rents**

1. Asking the Tenants in writing for a volunteer pad rent increase. Tenants never want to accept a volunteer pad rent increase verbally or in writing. Only pay the annual allowable 2% + inflation. (A Landlord recently tried this and threatened the Tenants if they did not accept. P&DMHOA advised them it was just a threat the Landlord could not act on and not to agree to the volunteer pad rent increase).
2. A Landlord can go to arbitration and try to have Tenants pay for emergency or infrastructure expenses. They must show the financial statements for 3 years to win.
3. **IF You Do Not Use the RTB-10 Form Landlords Will Raise Pad Rents monthly by \$50.00 to \$200.00. (This is Happening Now to Increase Their Income)**

*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 price to compensate for a higher pad rent. A higher pad rent can affect your ability to sell your home.*

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

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 (Pad Rent) tenancy agreement assigned.

## Request for Consent to ASSIGN A Manufactured Home Site Tenancy Agreement (RTB-10)

(RTB-10) Means No Rent Increase For the New purchasing Tenant. *If you do not use the RTB-10 Form the Landlord can increase the pad rent for the purchaser to whatever they wish (\$50.00 to \$150.00 a month). This could cause the Purchaser not to buy your home.* The Landlord MUST reply in writing accepting the purchaser or with one or more of the Five Valid Reasons on the RTB-10 form to refuse the purchaser. This can avoid costly delays.

- I. We strongly recommend that you follow all of these steps when you sell your home.
2. Contact Landlord/Manager and arrange for an inspection of the outside of your property in preparation for the sale before listing your home.

DO NOT engage in any discussion with Landlord/Manager regarding the demands, but insist that they are given to you in writing. DO NOT ARGUE but INSIST that the repair request must be in writing and be signed and dated. \* Allowable repairs requests are only for safety issues, are mandatory and should be completed before listing your home \*

3. Contact a realtor 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 that you require them to assist with all aspects of the form including: completing all the prescribed steps of the form and the immediate physical delivery of the form to the Landlord/Manager, allowing enough time for Landlord/Manager to reply (10 days). Be sure that the Realtor understands that the delivery of the form does not include the Purchaser meeting with the Landlord/Manager, as laid out in step 8. (Important Points)

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

### HOME OWNER'S AND AGENT'S RESPONSIBILITY CLARIFICATION

4. The Home owner completes section A to E on the form, with your Agent's assistance.
5. When an offer is made to purchase your home this form is sent to the purchasing realtor with the other documents required re acceptance of the offer.
6. The Purchaser completes Section F (two pages) and it is returned to you via your agent with their offer. If the purchaser's has privacy concerns, TWO COPIES returned to you in a sealed envelope (One for you and one for Management)
7. If you are accepting the offer: it is your responsibility to oversee and ensure the immediate delivery of the completed form to the Landlord/Manager by the realtor.
8. Keep a copy of the completed form as a record re date of delivery to Landlord/Manager.

## DELIVERY METHODS

9. If there is a Landlord/Manager in the same area as the park, your realtor should physically make every attempt to do an immediate delivery of the completed form (RTB-10) to the Manager/ Landlord, and recording date and time served. Do not email, fax or mail to Landlord/Manager.

If it cannot be physically delivered to the Manager/Landlord then immediately send it by Double Registered Mail, this will give you a confirmation of delivery. Once you have received delivery confirmation start the 10 day count to the acceptance date.

## IMPORTANT POINTS

This form forces Management to Assign the Tenancy (Existing Pad Rent) to the purchaser without meeting the purchaser. Purchaser will contact the Manager/Landlord (When Approved) on 11th days after delivery of the FORM, **Not Before**, to arrange a date to sign the Parks papers. Have your agent advise the Purchaser's agent of the acceptance date. The form ensures that the Landlord/Manager must complete page 5 of the form and return it to home owner in 10 days with written reason and proof, for denying the request to accept the purchaser, or state has accepted the purchaser. If homeowner does not receive the form back from the Landlord/Manager, by the end of the time limit, **the tenancy is considered given.**

10. Five valid reasons for refusal of new purchaser:

1. Negative credit rating. This must include written proof of bad credit.
2. References indicate tenant is unlikely to comply with the tenancy agreement.  
This must include written proof.
3. Unlikely or unable to pay rent. This must include written proof.
4. Does not intent to live in the park.
5. Every reasonable effort has failed to contact references. This must include written proof including dates and times attempts were made to contact your references.

11. Quote from the form re instructions to Landlord or representative. "If home owner does not receive your written response by the end of the 10th day, your consent to this request will be conclusively deemed to have been given".

[www.rto.gov.bc.ca/documents/RTB-10.pdf](http://www.rto.gov.bc.ca/documents/RTB-10.pdf) This link that will allow you to Download and print the RTB-10 form.

**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 pad 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 Arbitrations. \* \*

## 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

<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.

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)***

**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 \$2,223, (\$2,423 for couples) and you pay more than 30% of gross income for pad rent, you may be eligible for rental assistance. For information or an application, call BC Housing at 1-800-257-7756, check their website at [www.bchousing.org](http://www.bchousing.org) or visit any Service BC Office to get the Shelter Aid for Elderly Renters Brochure.

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

\* CALL the Members phone #'s on page 3 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 MHPTA***

***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, Whitewater, Daulphin and Pines Village URGENTLY Need**

\* Park Reps and more resident Newsletter Delivery people.

**Oliver: NO \* Park Reps or Newsletter Delivery people in, Weeping Willow.**

**OK Falls: Skaha Terrace Has No \* Park Rep or Newsletter Delivery**

**Keremeos: Lucky R Has No \* Park Rep or Newsletter Delivery. Copper Ridge and Riverside Estates Have No \* Park Reps and Newsletter Delivery.**

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

**Princeton Has No \* Park Reps or Newsletter Delivery people in 5 parks: Lynnwood, Martin's Lake, Penryn, Pines and Taylor Mill.**

\*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!***

***"Our Strength Is In Our Membership"***

**Penticton & District Manufactured Home Owners Association**  
**Meeting Schedule 2018/19**

<b>May 25/18 Annual General Meeting</b>	<b>Penticton</b>
June 8/18 Executive Meeting – <i>Summer Recess</i>	Penticton
Sep 7/18 Executive Meeting	Penticton
Oct 12/18 Executive Meeting - <i>Newsletter Pick Up</i>	Penticton
<b>Nov 2/18 General Meeting</b>	<b>Keremeos</b>
<b>Nov 23/18 General Meeting</b>	<b>Penticton</b>
Dec 7/18 Executive Meeting	Penticton
Jan 11/19 Executive Meeting	Penticton
<b>Feb 1/19 General Meeting</b>	<b>OK Falls</b>
Mar 1/19 Executive Meeting	Penticton
<b>Mar 29/19 General Meeting</b>	<b>Oliver</b>
Apr 26/19 Executive Meeting - <i>Newsletter Pick Up</i>	Penticton
<b>May 31/19 Annual General Meeting</b>	<b>Penticton</b>
June 14/19 Executive Meeting – <i>Summer Recess</i>	Penticton

**\*\* 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 this 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 your newsletters and fight for your rights and protection from increased fees & regulations. **If you have No Park Rep collecting your membership, please mail your Membership form and payment TODAY.**

**2018 MEMBERSHIP FORM: RENEWAL \_\_\_ NEW \_\_\_ PLEASE TICK**

Penticton & District Manufactured Home Owners Association

P.O. Box 22020, Penticton, BC 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?***