

Penticton & District Mfg Homeowners' Association
NEWSLETTER

PO Box 22020, Penticton, BC V2A 8L1
Tel:250-809-1462 Email: pdmhoa@yahoo.ca

OUR WEB SITE IS

<http://members.shaw.ca/pdmhoa>

Check it out and let us know what you think of it

Spring is here again. The Olympics are finished and our province did us proud
before the world. APRIL 2010

Our Annual General Meeting is fast approaching, where we review the past year and our activities. The date is: 1:00PM, Friday, 7 May 2010 and will be held at the Royal Canadian Legion in Penticton. We hope you can attend.

Our new phone number, 250-809-1462 is with the Telus Penticton Call Centre and is monitored by one of our members. Please leave a message so that we may get back to you within 24 hours. Your call is important to us. Also, our web site continues to grow. We post current events, new local policies, communications with the government and other information pertaining to all of us residing in Mfg Home Parks. So, be sure to drop by.

Another concern is the usual problem with most organizations, a severe shortage of volunteers. Many members have volunteered over the years, some once, some many times. We are all getting older and would love to introduce younger members as directors and volunteers. If you can spare some time, and have an interest in working for MHP residents in our area, we would love to hear from you. ***At this time 4 new directors are required to meet the challenges facing all of us.*** Unfortunately, it seems we only hear when a crisis develops. Another concern is the continuing lack of Homeowners' associations in many parks. Park Owners love this, of course, as it enables them to deal one-on-one with residents, instead of having to answer to a united front. (con't next page)

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As the story unwinds, it is usually evident that the problem affects many in that park, but they have not combined to form a group to deal with it. **The first place a tenant should be able to go is his local Homeowners' Association.** Often, most problems can be resolved in this manner.

Meanwhile, our work continues as we strive to achieve fairer representation for Manufactured Homeowners. May you enjoy your summer by being outdoors and all of the activities we so much enjoy here in the sunny Okanagan.

Remembering
Jane Slavin

1936 – 2010

Sadly, this past month we have lost a dedicated volunteer who rallied the residents of her park to form an in park association and managed almost 100% membership to the Penticton & District Mfg Homeowners' Association. In recognition, your local association awarded Jane the distinction of being Park Rep for 2008. We will miss her infectious smile.

Harmonized Sales Tax

As the date for this new tax draws closer, we have been concerned whether or not this new tax would be added to the rental of our site. One of our members set

out to research this, with varying results.

Here is the answer,

Dear Mr & Ms McCormick:

Thank you for your December 14, 2009 email to the Honourable Rich Coleman, Minister of Housing and Social Development, regarding manufactured homes and the proposed Harmonized Sales Tax. As this issue falls under the mandate of Canada Revenue Agency (CRA), they will be best able to answer your enquiry. The CRA can be reached by calling toll free, 1 800 959 1953. Thank you again for writing.

As this did not really answer the question, during a meeting with a local MLA, we asked if he could find this information for us. Here is the response.

It is exempt from GST/HST:

Site in a residential trailer park Sch V, Part 1, para 7(b)

16. A supply of a site made by way of lease, licence or similar arrangement is also exempt if the supply is for a period of continuous possession or of use of at least one month by owners, lessees, or occupants of mobile homes, travel trailers, motorhomes, or similar vehicles.

(see

<http://www.cra-arc.gc.ca/E/pub/qm/19-2-2/19-2-2r-.html#P103=10062>)

Editor's Note: Since our rent includes products and services that may have HST added, do not be surprised if your rent is adjusted accordingly. We would appreciate hearing from anyone who is affected by the new Tax.

The Other Side

The Active Manufactured Home Owners' Association has always existed as an advocate for home owners in a less than equitable partnership with land owners. There is some unconscionable park owners is not a question. It is also a fact there are some very good park owners who do their best to ensure their properties are well kept and home owners are treated fairly.

In almost every park, as in most communities there exists the spoilers. These are the folks who refuse to adhere to park rules. The end result of this lack of adherence to park rules is; unsightly properties, disruptive behaviour and a general lack of respect for their neighbours, the park owners and mostly themselves.

Inevitably such behaviour results in disagreements between landlord and home owner. Where park committees or associations exist these disagreements can be addressed and hopefully resolved through action under Part 3, Section 24 of the Manufactured Home Park Tenancy Regulation. Where no such committees or associations exist, it is necessary for both home owner and management to exercise good will in attempting to resolve issues through negotiation to the satisfaction of both parties.

Unfortunately, human nature being what it is, often the smallest issues can escalate into major confrontations with both parties unable or unwilling to consider the

other's point of view. Usually these disputes end up going to arbitration with one side or the other being the loser. One of the possible side effects of these owner/resident confrontations is the polarization of residents to one side or the other, thus creating bad feelings between neighbours as well as fostering resentment toward the park owner. When this happens, there are no winners.

Constructive communication between residents or resident associations can play a positive role in de-escalating confrontations if all parties are able to keep an open mind.

Shirley Stirritt

Does your park have an in-park association, Rep, or Info/Newsletter distributor'?

MEMBERSHIP REMINDER

Many thanks to all of you who have faithfully renewed your membership over the years or been generous in giving donations to keep your Association operational. Your membership is important to us. The moral and financial support is the backbone of this association. Without it, we would no longer be able to work for you to improve legislation affecting us and our homes.

Together, we have made a difference and will continue to do so.

NEWS FROM PARKS

Residents from several parks have sent in copies of new rules that are trying to be imposed. Some of these rules are troubling. For instance, one park we know of is trying to impose severe restrictions on who your guests are and how long they can stay. These rules state *“If the home is no longer owner occupied for any reason (care home placement, death, hospital stay of over 48 hours, etc) a non-family member must vacate the premises within 48 hours”*, and in these circumstances a family member must get permission and can only stay 6 weeks unless they are on the title to the home and can pass a credit check. Also, *“park management approval for an additional person in the home may be granted subject to a reference check and a criminal background check, which the tenant must provide upon request.”* Some of these rules even specify how you must deal with mail for a former tenant. How this rule is going to be enforced is a mystery.

Some rules are requesting personal information.

Other parks are posting the new park rules on the park notice board. **This is against Clause 29 of the Manufactured Home Park Tenancy Act which states the landlord must give notice in writing of any rule at least two weeks before the rule becomes effective.**

The Manufactured Home Park Tenancy Act and Regulations have specific conditions on what and how rules can be changed. According to Section 32 of the Mfg Home Park Tenancy Act, the landlord can only make rules governing the **operation of the park**, providing they do not conflict with the Act, Regulations, or enactment that applies to manufactured home parks, or a tenancy agreement that was entered into before the rule was established. Section 18 allows rules governing pets on your site. The RTO Web Site: <http://www.rto.gov.bc.ca/>

The Manufactured Home Park Tenancy Act & Regulations in Section 30 has more information on how rules can be changed and what rules can be changed.

MEMBERSHIP FORM

Penticton & District Manufactured Home Owners' Association

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

Telephone: 250-809-1462

NAME _____ PAD# _____
MAILING ADDRESS _____ CITY _____
POSTALCODE _____ PHONE _____ EMAIL _____
ANNUAL DUES: \$10.00 per site payable to the above SIGNATURE _____

General donations are greatly appreciated; please make cheques payable to the above.