

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS
MOBILEHOME RESIDENCY LAW PROTECTION PROGRAM**

9342 Tech Center Drive, Suite 500, Sacramento, CA 95826
P.O. Box 278690, Sacramento, CA 95827-8690
(800) 952-8356 / TTY (800) 735-2929 / FAX (916) 263-3383
HCD Website: www.hcd.ca.gov



June 2, 2022

Complaint Number: RL-C-22-01325

Complainant

DEANE BROCK
8951 NYE RD, SPACE # 23
VENTURA, CA 93001

Respondent

BENJAMIN GARCIA
1025 WALNUT DRIVE
OXNARD, CA 93036

Dear DEANE BROCK and BENJAMIN GARCIA (Operator of CASITAS SPRING
MOBILE HOME PARK (ID: 56-0013-MP)

**RE: Mobilehome Residency Law Protection Program (MRLPP) – Inquiry on Good
Faith Efforts to Resolve Complaint**

This letter is to inquire of both parties (Complainant and Respondent) whether the following alleged violation(s) of the Mobilehome Residency Law associated with the above-referenced Mobilehome Residency Law Protection Program (MRLPP) complaint have been resolved between the parties within the 25-day negotiation period:

- 798.53 Management Meetings with Residents

As you are aware, both parties were obligated to negotiate in good faith to resolve the alleged violation(s) and may have used any of the following methods:

- In person
- Telephone
- Electronic mail
- Standard U.S. mail

These good faith efforts should have been conducted by the Complainant or their designee and the Respondent (i.e., park management), and either party may have had representatives assisting them during the efforts.

The parties are advised that they have ten (10) business days from the postmark date or electronic transmission of this written inquiry to provide a response regarding whether the parties have resolved the alleged violation(s). The parties may submit their

County of Ventura
May 24, 2023
Mobile Home Park Rent Review Board Meeting
Item 6
Exhibit 6 – Materials Submitted by Deane Brock,
November 16, 2022

DEANE BROCK and BENJAMIN GARCIA (Operator of CASITAS SPRING MOBILE HOME PARK (ID: 56-0013-MP))
Page 2

response to this written inquiry either on the enclosed Complaint Resolution form or in any other writing that includes the information requested in the Complaint Resolution form.

If a response is received within ten (10) business days from either party indicating that the matter is **not resolved**, MRLPP staff will then process the complaint and send a Department communication regarding next steps.

If a response is received within ten (10) business days from both parties indicating the matter is **resolved**, MRLPP staff will send a Department communication regarding closing the complaint.

If a response is received within ten (10) business days from the Complainant indicating the matter is **resolved**, MRLPP staff will send a Department communication regarding closing the complaint.

If a response is not received within ten (10) business days from either party, MRLPP staff will send a Department communication regarding closing the complaint.

If you have any questions or would like further information, contact the MRLPP at (800) 952-8356 (option 3, then option 2) or MRLComplaint@hcd.ca.gov. Please reference the above complaint number in any correspondence.

Sincerely,

JASON CHO
MRLPP ANALYST

Enclosure

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Mobilehome Residency Law Complaint Resolution Form

Document MUST be filled out and returned within ten (10) business days – from the postmark date or electronic transmission of the Department of Housing and Community Development’s (Department) accompanying letter, “Inquiry on Good Faith Efforts to Resolve Complaint” - even if the matter was not resolved.

SECTION I. CONTACT INFORMATION

Please provide the contact information for all parties, including any representative or designee that participated in the twenty-five (25) calendar day good faith negotiation efforts to resolve the Mobilehome Residency Law (MRL) alleged violation(s). Each party may have representatives or designees assist them during the good faith negotiation efforts. Please attach additional sheets if necessary.

Complainant: DEANE BROCK
Mailing Address 8951 NYE RD, SPACE # 23, VENTURA, CA 93001
Phone Mobile: (805) 815-9052

Designee/Representative, if any:

Park Management: BENJAMIN GARCIA - OWNER
Mailing Address 1025 WALNUT DRIVE, OXNARD, CA 93036
Phone Business: (805) 766-5636
Park Management Representative, if any: JAMES GARCIA Sp # 2
Mailing Address: 8951 NYE RD # 2
City/State/Zip: VENTURA, CA
Email (optional): Telephone 805 200 7492

NOT Related to BEA GARCIA, THE OWNER

SECTION II. STATEMENT OF OUTCOME

The good faith negotiation efforts are conducted by the Complainant, and/or their authorized designee and the Respondent-park management, and/or their respective representatives or designees. The results of the good faith negotiation efforts must be submitted to Mobilehome Residency Law Protection Program (MRLPP), within ten (10) business days from postmark date or electronic transmission of the Department's accompanying letter titled, "Inquiry on Good Faith Efforts to Resolve Complaint ("Inquiry Letter")", if the parties agree to submit this complaint resolution form together, the signature of all parties, or their representative or designee, are required on the form. If each party is submitting their own separate resolution form, the signature of the party submitting the form is required.

Note: If the Department has not received a response from either party within ten (10) business days from the postmark date or electronic transmission of the Department's "Inquiry Letter" the Department will close the complaint and notify both parties of the closure.

Note: If both parties, either resolved, or were unable to mutually resolve the Complaint, during the twenty-five (25) calendar days good faith negotiation time period, the parties are required to provide these results within ten (10) business days from the postmark date or electronic transmission of the Department's, accompanying "Inquiry Letter."

PLEASE BE ADVISED: If the matter was not mutually resolved, the complaint may be forwarded to the Department's contracted nonprofit legal service provider for further legal service. For each alleged violations, please provide a brief description of the resolution or reason for no resolution and mark either "Resolved" OR "Not Resolved" which will be used for consideration of further legal assistance.

Alleged complaint/violation: 798.53 Management Meetings with Residents	
Deane Brock SP #23	
Resolution: NOT RESOLVED. JAMES GARCIA, PARK MANAGER TOLD ME HE WILL BE MEET WITH GSMOL ON MAY 31ST BEN GARCIA, THE PARK OWNER TEXTED ME STATING HE ALSO WILL NOT MEET WITH ME OR GSMOL DUE ALL THE TROUBLE I HAVE CAUSED.	
Resolved <input type="checkbox"/>	Not Resolved <input checked="" type="checkbox"/>

Deane Brock
GSMOC Chapter President
6/10/22

Received in mail
6/9/22

I certify under the laws of the State of California that the information contained within this Mobilehome Residency Law Complaint Resolution Form is true and correct to my own knowledge.

Signature: Deane Brock Date: 6/9/22

Print Name: PERNE BROCK

Signed in VENTURA County, in the State of California.

I certify under the laws of the State of California that the information contained within this Mobilehome Residency Law Complaint Resolution Form is true and correct to my own knowledge.

Signature: ~~Deane Brock~~ Date:

Print Name: ~~PERNE BROCK~~

Signed in County, in the State of California.

Please Return To:



Email: MRLComplaint@hcd.ca.gov



Mail: Mobilehome Residency Law Protection Program
California Department of Housing and Community Development
PO Box 278690
Sacramento, CA 95827

NOTE: MY NAME IS GLENN BERRY AND I'M WORKING WITH MR. BROCK TO RESOLVE THE MANY CODE VIOLATIONS IN THIS PARK. I CAN BE REACHED AT (805) 815-9434, OR GBERRY.GSMOL@GMAIL.COM

SINCERELY,
GLENN BERRY, MS
GSMOL ASSOCIATE MANAGER

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.
1020 15th Street, Suite 20
Modesto, CA 95354

MR. BENJAMIN GARCIA
Casitas Springs Mobile Home Park
1025 Walnut Drive
Oxnard, CA 93036

Subject: Demand Letter

Dear Mr. Garcia:

I, the undersigned, represent Mr. Deane Brock of 8951 Nye Road, #23, Ventura, CA 93001, who is alleging that your mobile home park known as Casitas Springs Mobile Home Park is in violation of certain statutes. As you may know, Mr. Brock is the president of Golden State Manufactured Home Owners' League chapter 1827 at the Casitas Springs Mobile Home Park. The following are the allegations made by Mr. Brock on behalf of himself and others:

1. On June 19, 2022, Deane Brock, President of GSMOL (the Golden State Manufactured Home Owners League) Chapter 1827, wrote a letter and sent by certified mail a letter to Ben Garcia requesting that he provide in writing certain information required by law within 10 business days and hand delivered a copy of the same letter to the park manager, James Garcia. This is a violation of California Civil Code § 798.28.
2. A meeting between park management has been requested at least twice since February 19, 2022. Park management has failed in all respects to respond to those requests. This is a violation of California Civil Code § 798.50 – 798.53 (with specific attention to be given to Civil Code § 798.53).
3. Many of the manufactured homes within this park are serviced by septic tanks. The leach lines from those septic tanks run under the two lots next to the manager's home. The manager uses those two lots as vehicles storage lots. Upon them he has stored one five-ton industrial forklift, one 32-foot motorhome, and a Chevrolet Tahoe Suburban SUV. It can be suspected that the heavy vehicles may have crushed the leach lines or compacted the soil surrounding them leading to the failure of those lines on several occasions. It can further be suspected that such failure has caused the back-up of raw sewage into the surrounding manufactured dwellings including into the bathtub of our client. This might be covered under Health and Safety Code § 18544(a)-(d).

4. A sink hole has developed in front of one of the units rented to a park tenant. If this is as suspected, that sewage has caused subsidence, this might be covered under the provisions of HS 18544(a).
5. The mobile homeowners in the park allege that on February 7 and 8, 2022, the park manager made repairs to a gas main with no prior notification being given to the park residents, and that the manager failed to turn off the gas main prior to making the repairs causing gas to enter the park endangering the park residents with a potential explosion or fire or both. An HCD complaint (MP-C-22-00331) was filed on this action by management.
6. Many of the park's power poles are supported by 2 X 4 pieces of lumber because the main power poles have been weakened by termite infestation and/or are rotten. Many of the poles have deteriorated around the bottoms such that without the 2 X 4s or other types of support (such as, homeowners' fences) there is absolutely no support for them.
7. Approximately, half of the park's power meters are housed in wooden boxes not anchored to the poles – some of the power meters are hanging out of their boxes and some anchored only by the wires they are recording and are hanging loosely by those wires.
8. There are no fire hydrants in the park.
9. There are only eight streetlights in the park, and two of them operate continuously for 24 hours per day.
10. The park's manager has a washing machine, but all other mobile homes are forbidden to have one, and there is only one operating washing machine of the three washing machines in the laundry room – all the others are inoperable. CC § 798.23(a).

Additionally, there are other violations of the Mobilehome Residency Law not mentioned above including the following:

1. The park has failed to distribute copies of the Mobilehome Residency Law as is required under the provisions of California Civil Code § 798.15.
2. The park has failed to post a copy of the park's emergency preparedness plan or to inform the residents of the park where a copy of the plan may be obtained as is required under the provisions of California Health & Safety Code § 18603.
3. The park has not posted a "MOBILE HOME ASSISTANCE CENTER" sign in accordance with the requirements of California Civil Code § 18253.5, such violation is an infraction.
4. The park has failed to post or make available to the residents of the park specific current residential utility rates as published by the serving utility or provide the internet website address where those rates can be obtained as required by California Civil Code § 798.40.
5. It is impossible to contact the owner of the park because the alleged park owner, Ben Garcia, changed or disconnected his cell phone number. The park's office

phone has been disconnected for approximately two years. Checks for space rent are made out to the park's in-residence manager.

6. The Mobilehome Residency Law (California Civil Code § 798.23) requires that park management be subject to, and comply with, all park rules and regulations to the same extent as residents and their guests are so required. In the case at hand, residents are prohibited from having washing machines in their homes or store vehicles in the park. However, management is in complete violation of both of those rules.
7. There are no food waste bins in the park. Though SB1383 seems to apply to cities, counties, and to cities and counties, it would seem that such bins should have been supplied by the involved governmental entities, or the park should have been in contact with those entities demanding that those entities provide those bins for the health and safety of the park residents.

Consider this letter a demand that the above noted deficiencies in the Casitas Spring Mobile Home Park located at 8951 Nye Road, Ventura, CA 93001, be corrected without delay.

A response to this correspondence is expected on or before August 20, 2022. If we do not hear from you or your attorney by that date, we have no alternative but to believe that you have no intention of settling this matter in such a way as to care for the health and safety of the residents of the mobile home park. I sincerely hope that this matter can be settled among the parties to everyone's satisfaction.

I have no way of knowing whether or not you have retained the services of an attorney, but if you have not, you may want to contact an attorney as soon as possible to get his/her advice regarding this matter.

Sincerely yours,

TERRY D. STARK
Attorney at Law

Cc: James Garcia