

MINUTES

MOBILE MANUFACTURED HOME ADVISORY COUNCIL

JULY 17, 2013

The Mobile Manufactured Home Advisory Council convened at 10:03 A.M. at the State Office Building, in Room 117, 165 Capitol Avenue, Hartford, CT 06106.

Members Present:	Bennett Pudlin	Attorney at Law, Acting Chairperson
	Leonard S. Campbell	Town Planner
	George Cote	Banking Industry Representative
	Marcia L. Stemm	Park Owner
	Mark Berkowitz	Park Owner
	Keith Jensen	Park Owner, Co-Chairperson
	Myriam Clarkson	Mobile Manufactured Home Industry Representative
	Lorraine Conderino	Park Tenant
	Albert Hricz	Park Tenant

Members Absent:	Joseph B. Castonguay	CT Real Estate Commission Member
	Jennifer Ponte	DECD Representative
	Erwin Cohen, Ph.D	Senior Citizen
	Nancy E. Dickal	Park Tenant

Board Vacancies: One Representative of the Housing Advisory Committee

DCP Staff Present: Robert M. Kuzmich, License & Applications Specialist
Vicky Bullock, Staff Attorney

Public Present:	Nancy Palmisano	Connecticut Manufactured Housing Association
	Arthur Mazeau	Connecticut Home Owner's Alliance
	Mary W. Campbell	NW, CT Property Owners
	Raphael Podolsky, Esq.	Legal Assistance Resource Center of Connecticut

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 706-1255.

Agency Website: www.ct.gov/dcp

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MINUTES OF PREVIOUS MEETINGS

Review and approve minutes of the **April 17, 2013** Mobile Manufactured Home Advisory Council meeting. After a thorough review of the minutes, the Board voted unanimously to accept the minutes as submitted. (Hricz/Campbell)

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

1. Mr. Arthur Mazeau stated that the Owner of his Mobile Home Park in Clinton, Connecticut wants to reduce the services to his tenants. As an example, they no longer assume responsibility for electrical services meaning the underground lines that service the homes. In addition, the reduction in services does not come with a reduction in the tenant's rent. He read aloud portions of an actual rental agreement.

Mr. Pudlin suggested that a complaint be filed with the Department of Consumer Protection since he believes that the Park Owners are responsible for underground utilities. The Department can give their opinion on the legality of these of these issues based upon a review of the rental agreement. If it is determined that the Owners actions are within their rights to do so, then Mr. Mazeau can make a claim with his local Fair Rent Commission for a loss in value for the rent and ask for an adjustment. Mr. Mazeau claims the Park Owner is also taking the same stance for water and sewage utilities. Mr. Pudlin noted that the Park Owners actions appear to be illegal and that Mr. Mazeau needs to immediately notify the Department since it is a matter of health, safety, and welfare and the Department should take fast action.

Mr. Jensen confirmed that there was change in the actual wording of the lease in this matter. Mr. Mazeau noted some of the language changes. Both Mr. Jensen and Mr. Pudlin offered their interpretations on several of Mr. Mazeau's situations. Again, Mr. Pudlin stated that while this discussion is beneficial to all present today, this matter is beyond this Council's responsibilities and is matter to be handled by the Department of Consumer Protection. Filing a complaint will benefit not only Mr. Mazeau but all those affected by the Park Owners actions. Mr. Kuzmich outlined the Department's procedures in the Complaint Process. Mr. Pudlin concluded by stating that there are several actions being considered in this situation; one being the filing of the complaint and the other was to seek an advisory opinion from the Commissioner.

REPORT FROM SUB-COMMITTEES

LEGISLATIVE COMMITTEE

1. Mr. Podlosky noted an Eviction Proposal which detailed Landlord Actions and was a clarification of existing statutes which never passed and died on the calendar. He also noted a Bill which passed which clarified Statutes pertaining to the Fair Rent Commission dealing with service contacts on oil tanks and was not a substantive change in language
2. Mr. Podlosky also noted a Bill which passed pertaining to the Landlord-Tenant Act which prohibited a landlord from making on-line payment of the rental security agreement the only way a tenant make the payment.

FINANCE COMMITTEE

1. Discussion of the Connecticut Housing Finance Authority's (CHFA) Financing Program. Mr. Pudlin stated that he has not been able to contact Ms. Carol Derosa. Several finance issues were raised that need attention by the CHFA. Mr. Pudlin will continue to try and make contact with her a perhaps try to arrange a separate meeting with her.

EDUCATION COMMITTEE

OLD BUSINESS

1. Continuation of Discussion pertaining to recommendations for revisions to MMHAC website.

Copies of the draft of proposed website changes were distributed to the Council in addition to frequently asked questions and a copy of the *Rights and Responsibilities of Mobile Manufactured Home Communities in Connecticut*. A motion was made by Ms. Clarkson to approve the Draft and seconded by Mr. Jensen. The motion carried unanimously. A deadline of July 22, 2013 was set for any minor revisions to be made and forwarded to Ms. Vicky Bullock of the Department of Consumer

2. Review of Frequently Asked Questions. This document will be e-mailed to Council Members prior To the Meeting.

Mr. Pudlin updated the Council on the background of this document to date. It was noted that Mr. Pudlin coordinated the submission of these questions and tried to incorporate answers as best as possible from the existing Department Handbook. It was noted by Mr. Pudlin that the Department emphasized the need of a FAQ Section for all their Boards and Commissions. As such, the Council's

approach is to coordinate this FAQ Section with the Department's Mobile Home Handbook for accuracy and consistency. The importance of coordinating answers to the FAQ's with the existing Handbook on Mobile Manufactured Home Communities in Connecticut was stressed. Mr. Pudlin asked that any edits which are technical in nature be sent electronically to Mr. Pudlin for incorporation in the final draft. Several changes of this type were discussed among the Council Members.

Below are some of the highlights of the Council's discussion of the Frequently Asked Questions (FAQ) Section:

1. The Council discussed the Rental Agreement Section in depth and discussed the bulleted sentences noting that it is more a procedural process rather than substantive. Instead, providing a link to the Statutes was discussed as an alternative.
2. Concerning the Question addressing changing the terms of the Rental Agreement annually by the Park Owner, it was decided to have Mr. Pudlin revise the existing answer making references to appropriate the Statutory Section(s) and with links back to appropriate FAQ's.
3. A New Question concerning financing for repairs of older mobile homes was discussed noting that there is no State assistance currently available for this purpose. However, local funding may be available and should be pursued by the Home Owner. This question has been asked of the Department and should be listed as a FAQ.
4. The Question concerning conversion of heat sources and forcing home owners to switch and or purchase service agreements was discussed. The answer as currently stated in the draft shall be revised by Mr. Pudlin, based upon today's in depth discussion by the Council, and reviewed by Ms. Bullock.
5. A New Question concerning fuel spills was discussed and may be eliminated from the draft.
6. Zoning Regulations and the prohibition of discriminating against Mobile Home Owners was discussed. The language of the Statute shall be referenced here.

3. Continuation of discussion on Park Owner Survey.

Discussion was postponed on this matter since the Department's Legal Representative was not present at today's Meeting.

4. Update on Westchester Village water line issue.

Discussion was postponed on this matter since the Department's Legal Representative was not present at today's Meeting.

NEW BUSINESS

1. Department Update concerning Mobile Home Park complaints and inspection reports.

The Council was given a list of Complaints addressed by the Department of Consumer Protection from October 16, 2012 through July 16, 2013. The Council asked for a presentation at each meeting of all Complaints received by the Department since the last meeting of the Council. Mr. Pudlin reminded the Council that the normal protocol is for these complaints to be discussed in person with Council and the Department's Legal Department.

2. Any correspondence and/or business received in the interim.

No items were discussed.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

No additional comments or concerns were raised.

There being no further business, the Council adjourned at 11:513 AM. (Stemm/Campbell)

Respectfully submitted,

Robert M. Kuzmich, R.A.
Advisory Council Secretary

NEXT MEETING DATE; OCTOBER 16, 2013

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HARTFORD, CONNECTICUT**