

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY

110 N. Main Street, Suite G
Camden, DE 19934

Minutes of February 3, 2015

IN ATTENDANCE:

Authority: Mitch Crane
Andy Strine
Dorothy Boucher
William Dunn
Joelle Polesky
Susanne Lantz (Executive Director)

Absent: George Meldrum

Legal Counsel: William Denman

Other Attendees: Bobbie Hemmerich, Tenant McNicol Place
Joan Peculski, Tenant Bon Ayre
Richard Ruben, Tenant Bon Ayre
Milton Stroup, Tenant Bon Ayre
Jesse Garcia, Tenant Pot-Nets Cove side
Jill Fuchs, Tenant Barclay Farms
Donna Reed, Tenant Barclay Farms
Larry Dougherty Sr., Tenant Barclay Farms
Jennifer Allen, First State Manufactured Housing Association

I. CALL TO ORDER:

Mr. Crane called the meeting to order at 1.32 p.m.

II. REVIEW AND APPROVAL OF MINUTES:

Mr. Crane asked the Board to approve the December 11, 2014 meeting minutes. Mr. Dunn stated that he would like to correct the minutes to reflect that his absence from the December 11, 2014 meeting was excused. Mr. Crane stated this correction would be made. Mr. Strine made the motion to accept the meeting minutes as corrected. Mr. Dunn seconded the motion. The Board approved the December 11, 2014 meeting minutes unanimously.

III. Executive Directors Report:

Ms. Lantz delivered her report to the Board.

Ms. Lantz noted that since the last Board Meeting she:

1. Addressed several Compliance Issues, Rent Increase Issues and various other administrative matters;
2. Requested the Authority's Compliance Investigator to inspect several parks that had not filed the annual registration forms, resulting in one park filing the form;
3. Handled one FOIA request.
4. Mailed a letter to movers requesting that movers provide a break-down of costs when submitting a proposal to move a manufactured home.

IV. Chair's Report:

No report

V. Approval of Financial Activity & Reports October and November 2014:

Ms. Lantz stated a total of \$173,000 have been paid in relocation costs since October 2014. Mr. Dunn asked when the assessment increase would show up? Ms. Lantz responded that would be due in April. Mr. Dunn made the motion to accept the financial statements as presented, Mr. Strine seconded the motion and the Board approved the financial statements unanimously.

A. Approval of other Financial Matters:

1) Approval of Legal Counsel Invoice s for October and November 2014:

Mr. Crane stated the invoices were approved by Mr. Strine and Mr. Meldrum and needed to be ratified by the Board. Mr. Crane asked if there were any questions? There were none.

Ms. Boucher made the motion to approve the invoices, Mr. Dunn seconded the motion. The Board Approved the Legal Counsel invoices unanimously.

2) Approval of Invoice from BDO for September and October 2014:

Mr. Crane stated the invoice from BDO needed to be approved. Mr. Dunn made the motion to approve the invoice. Mr. Strine seconded the motion. The Board approved the BDO invoice unanimously.

VI. Reports

A. Compliance Matters (Ms. Lantz):

1. Annual Registration Report, Registered Parks:

Ms. Lantz stated as of today only 5 parks had not returned the annual registration form.

2. Arbitration Matters and Status:

Ms. Lantz stated 5 petitions for arbitrations were received. Ms. Lantz reported on the status of several arbitration matters.

Ms. Lantz reported that the arbitration and rent justification costs starting from the inception of the law until the end of December 31, 2014 have totaled approximately \$33,000 including arbitration costs, staff time and charges from legal counsel.

3. Suits and Judgments Filed and Unsatisfied:

Ms. Lantz reported that Hilltop MHP and Pine Ridge MHP are on a payment plan and have been complying with the payment plan. Ms. Lantz noted that legal action has been taken against Exantus & Sons, and Mr. Denman reported that he would be filing for a default judgement.

B. Investigator Report:

1. *The Village at Grandview, M&S MHP and Granada MHP:*

Ms. Lantz stated that at her request the Compliance Investigator visited M&S MHP and Grandview to discuss the status of filing the annual registration form, but was not able to contact anyone from management.

VIII. Old Business:

1. *Glasgow Court Update:*

Ms. Lantz said the quarterly update of the Relocation Plan, as filed by Glasgow Court, was included within the Board Package .

2. *Lakeland Park Update:*

Ms. Lantz stated the quarterly update of the Relocation Plan, as filed by Lakeland Park, was included within the Board Package.

IX. New Business:

1. *Ratification of Glasgow Court Tenant Benefit Approvals:*

Mr. Crane reported that the list of tenants whose applications were approved by the Three-Person- Committee unanimously, was included within the Board Package and requested that the Board consider approving the applications, based on the unanimous approval and recommendation of the Committee.

Mr. Dunn made the motion to ratify and approve all of the applications for benefits heretofore approved by the Committee. Mr. Strine seconded the motion. The Board approved the motion unanimously.

2. *Ratification of Lakeland Tenant Benefit Approvals:*

Ms. Lantz stated she had distributed a new list of approvals as of today, which was different from the one included in the Package. Mr. Crane stated the Committee approved these applications unanimously and they now needed to be ratified and approved by the Board. Mr. Dunn made the motion to approve the benefits heretofore approved by the Committee and Ms. Boucher seconded the motion. The Board approved the motion except for Mr. Strine who could not vote on this matter due to a conflict.

a) *Approval of Investors Realty Application for Relocation Benefits:*

Mr. Crane stated an application was received by Investors Realty, a tenant of Lakeland MHP. While the Committee reviewed the application, no consensus was reached by the committee. Ms. Boucher did not approve the application, which resulted in the application being brought before the entire Board for review. Ms. Boucher said there were two reasons she did not approve it, one was it was a business and not a homeowner residence which is what she feels the RTA fund was established to protect, and secondly, the date on the title makes it ineligible under RTA regulations. Mr. Denman commented that this could have far reaching complications.

After discussion, it was decided to have this application reviewed by Legal Counsel, before any vote was taken by the Board. Mr. Strine provided the Board with some background information

on this application, while noting due to his personal interest in the matter, would not be voting on the application.

Mr. Strine explained that Investors Realty was the lender on the home and the tenant defaulted on the loan. Mr. Strine stated that as a result of the default, Investors Realty now had title to the home. Mr. Strine said Investors Realty has paid the lot rent and the assessment like any other tenant. Mr. Crane stated once the Committee and the Board had all the information, including input from legal counsel, the Board would make a decision.

3. Hiring of a Part Time Person for Office:

Mr. Crane stated since he was appointed Chairman he has been trying to professionalize the Authority. When Ms. Lantz is away, whether due to vacation or other reasons, there is no one at the office to answer phones, etc. Mr. Crane stated the law does not allow any member of the Board to fill in for Ms. Lantz and get reimbursed. Ms. Boucher stated she would like to see more details on the proposal, including the anticipated costs. After a lengthy discussion the Board decided to defer this matter to the next meeting, and requested that the Chair and Ms. Lantz provide the Board with a specific proposal that would address the duties and costs associated with the proposal.

4. Hiring additional Compliance Investigator:

Mr. Crane stated the Authority employs one Compliance Investigator who lives in Sussex County and sending him to a park in New Castle County driving 1 ½ hours one way is not cost effective. Mr. Crane recommended that the Board give consideration to hiring an additional Compliance Investigator to handle matters in New Castle County. Mr. Crane noted that there were some people interested in the position that live in manufactured housing and have been involved with previous Authority Boards. After discussion, the Board decided to defer the matter to the next meeting, until more specifics are available. Mr. Dunn agreed to assist in this matter.

5. Update of Demhra Policies and Procedures Part B and Part C:

Mr. Crane reviewed certain proposed changes to the Policies and Procedures. A redline copy with the proposed changes was included in the Board Package. The proposed changes would update the mileage reimbursement to make consistent with the State rate, and to change the address of the Authority to make it consistent with the new office location. One of the proposed changes related to the number of copies of the appraisal that the appraiser should send to the Authority, the current rules would require three. After discussion, a motion was made to change the rules to require only the original appraisal to be submitted by the tenant and to accept all the other proposed changes. The motion was seconded and the Board approved the changes, as noted, unanimously.

X. Public Comments:

Members of the public in attendance were given an opportunity to make comments.

XI. New Business II

1. Discussion of Assessment Fee:

This discussion was tabled, per Ms. Boucher's request.

XII. Executive Session:

Mr. Dunn made the motion to go into Executive Session at 2.55 p.m. Ms. Strine seconded the motion. Unanimous approval was given by all members present by voice vote.

Mr. Strine made the motion to come out of Executive Session at 3.20 p.m. Ms. Boucher seconded the motion. Unanimous approval was given by all members present by voice vote.

XII. NEXT MEETING DATE - ADJOURNMENT:

The Board has discussed and set the next meeting date to March 24, 2015.

As there was nothing else before the Board the meeting was adjourned at 3.25 p.m.

Respectfully submitted,

Susanne Lantz
Executive Director