

**DELAWARE MANUFACTURING HOME RELOCATION AUTHORITY**

1675 S. State Street  
Dover, Delaware

Minutes of January 30, 2013

**IN ATTENDANCE:**

Authority: Rick Lemire  
George Meldrum  
Mitch Crane  
Andy Strine  
Susanne Lantz (Administrative Assistant)  
Kevin Carroll (via phone)

Legal Counsel: William Denman (arrived at 2 PM)

Compliance Investigator: Ed Speraw (left at 2 PM)

Other Attendees: Fred Neil, Tenant Wild Meadows  
John Morris, Tenant Camelot Meadows

**I. CALL TO ORDER:**

Mr. Lemire called the meeting to order at 1 PM.

**II. ELECTION OF TEMPORARY CHAIRMAN:**

In the absence of an appointed Chairman by the Governor, the Board decided to elect one of the Board Members as temporary Chairman. Mr. Lemire made the motion to elect Mitch Crane as temporary Chairman. Mr. Meldrum seconded the motion. All Board Members present by voice vote agreed unanimously.

Mr. Crane asked the visitors to introduce themselves. Fred Neil and John Morris introduced themselves; they are tenants in mobile home parks in Kent and Sussex County.

**III. REVIEW AND APPROVAL OF MINUTES:**

Mr. Crane made the motion to approve the December 20, 2012 meeting minutes. Mr. Strine seconded the motion. The Board approved the December 20, 2012 meeting minutes unanimously.

**IV: REPORTS:**

**A. Compliance Matters**

**1. Annual Registration Report:**

Ms. Lantz stated that she has received registration forms for County Seat Gardens, Pine Haven MHP and M& S MHP. She is still waiting for Grandview and has talked to the Property Manager

twice with no luck.

Noble's Pond: Ms. Lantz stated that we send them a final request with no results. Mr. Strine thought the park had converted to Fee Simple. Mr. Lemire said with a search that could be solved. The Board requested that Ms. Lantz research Nobles Pond.

Lowes Campground: Ms. Lantz stated she had not heard anything. Mr. Strine thought that if it was a Campground it would not fall under the RTA. Mr. Strine said a record search would help. Ms. Lantz stated that last year she found out the park was going through bankruptcy proceedings and we had requested Mr. Denman to find out if we were named in the Action. She was still waiting to hear what Mr. Denman had found out. Mr. Carroll stated a parcel search might not be enough. The Board decided to ask Mr. Denman what he had found out and send another letter to request him to register. Mr. Speraw stated the tenants lived there year round.

Forest MHP: Ms. Lantz stated that this is a problem park. The owner is not complying at all and is not acknowledging any correspondence. When we received the large check from her last year she had not set up an account with Division of Revenue which caused a lot of problems. Mr. Crane suggested to have Mr. Denman initiate legal action against the owner. The Board agreed unanimously.

Granada MHP: Ms. Lantz stated that Bill Denman is working on this. They have made promises to pay that they did not keep.

Hilltop MHP: This is also a problem park. Ms. Lantz stated that they have not registered and she thinks there is a large mortgage involved per Bill Denman who thought we might never see a dime.

Mr. Speraw stated the owner is collecting the assessment and not turning it in to the RTA. The owner has also tried to sell the park and borrowed several million dollars. Mr. Strine was wondering if it was worth financially to pursue? Mr. Crane thought the Authority had the obligation to pursue. The Board discussed this matter and decided to pursue the registration through Mr. Denman.

Pine Ridge MHP: Ms. Lantz stated that this park has been a problem for years. The park has not registered despite requests. The daughter took the park over from her father. She sent in a request to pay in installments. She started paying a couple of quarters and then stopped again. Ms. Lantz stated that she had send a request to Ms. Hastings to set up her own account, but heard nothing further. Mr. Denman had worked with the park owners as they were selling a piece of land and since the Authority had a judgment against Pine Ridge that was a problem. The Board decided to send the matter over to Bill Denman.

Baywood Communities: Mr. Strine stated that the park does not believe they fall under the assessment and Mr. Strine agreed with that. When the law was drafted it was with the intention to exclude communities like Baywood. Mr. Crane stated the tenants want to pay into the Trust Fund.

Mr. Carroll stated had the Authority should invite them to be heard and get information from them. Mr. Crane wondered if the home owners should also be heard? Mr. Speraw stated that Baywood belonged to DMHOA for years and he attended a lot of their meetings. The tenants were always concerned about losing their community. The Board decided to write Baywood Communities a letter inviting them to present their case at the next meeting.

Probst MHP: Ms. Lantz stated that Ms. Probst contacted Ms. Lantz stating she owned all the homes. Ms. Lantz had sent her a letter per Mr. Testa's suggestion to have her send us a copy of the titles to the homes and finally Mr. Denman send a letter to her attorney in early January 2013, but we had not heard anything yet. Mr. Strine was wondering why the Authority was wasting all the money when per record search it showed that she did own all the homes in the community? The Board agreed and decided to close the file.

M & S MHP & Grandview MHP: Ms. Lantz stated that M & S has registered, she is still waiting to receive the registration form for Grandview. She has talked to the Property Manager twice without results. Mr. Crane believed that if they had already received an attorney letter to register, than it needed to be proceeded further. Communities are required to register. Mr. Denman has been working with the Property Manager regarding the payments per Ms. Lantz and she thought they might be close to catching up.

## **2. Investigators Report:**

Mr. Speraw stated that the only information he had at the time regarded Massey's Landing MHP. This park was going to be put up for sale. Mr. Lemire stated that Mr. Speraw's visit to Massey's Landing MHP had nothing to do with the RTA which Mr. Speraw confirmed that it was a DMHOA visit.

Mr. Speraw stated that he did not know the content of his new duties, he had not heard anything. Mr. Crane confirmed that the Board had adopted a procedure that Mr. Speraw would work at the direction of the Board through the Administrative Assistant. The job assignments would be given by the Board. Mr. Speraw received a copy of the Compliance Investigation Policy. Mr. Lemire stated the Work Order would be more specific especially the mileage details. The Board uses MapQuest for mileage driven and this would also apply to Mr. Speraw. This will eliminate the question regarding his mileage. Mr. Crane asked if Mr. Speraw had any questions regarding this policy which Mr. Speraw denied. Mr. Speraw agreed with the policy.

## **3. Park Compliance Report:**

### **i. Judgments Filed & Unsatisfied:**

A & A Trailer Park: Ms. Lantz stated that Mr. Denman had filed a Discovery Request and was waiting to hear from Mr. Denman.

Pine Haven MHP: Ms. Lantz stated that the owner of Pine Haven stopped by 2 weeks ago, paid and registered. He now has a credit of \$41.00. The Board decided that the park can come off the list.

Pine Ridge: Ms. Lantz stated that requests have been ignored. The owner has not registered. The Board decided that Mr. Denman needed to proceed regarding the registration.

The Crossings at Oak Orchard: Ms. Lantz stated that Mr. Testa had requested financial documents from the park owner due to their request of paying what they owed in \$200 installments. The documents were never received. Mr. Crane asked if she is still paying? Ms. Lantz confirmed that she is paying \$200 towards the arrears and then the quarterly payments that are due. There is a lien on the property. The Board discussed the matter. Mr. Meldrum stated that we just want documentation which is pretty reasonable that any debtor asks for. Mr. Crane questioned are we happy with the payment plan and how long it takes? Mr. Strine thought maybe a phone call would suffice and set a deadline and also send a letter. Mr. Crane thought a deadline of 10 days

would work. The Board agreed that if she does not comply within the deadline, it would be turned over to Mr. Denman.

#### **ii. Former Park Compliance Issues pending:**

Burton's Edgewater MHP: Ms. Lantz said the park had sent us a letter stating they are seasonal. The Authority then informed all the tenants and gave them 75 days to respond. None of the tenants ever contacted Ms. Lantz. Also, Mr. Lemire was supposed to give Mr. Speraw orders to revisit the park. Mr. Speraw was ill and hospitalized for a longer period and therefore that visit never happened. Mr. Lemire thought it would take a few steps to make sure they are indeed seasonal. The Board suggested Ms. Lantz create a work order to send to Mr. Speraw.

Maranatha MHP: Ms. Lantz stated that Mr. Mast send in a registration form confirming 25 homes in the park. Ms. Lantz did some research and found out that there are 25 homes in the park and of these 25 homes two lease a lot, he doesn't own those homes. She had also confirmed this with her contact at Levy Court, but found it confusing that he supposedly owns 25 homes and then there are 2 that he does not own. Mr. Strine questioned that two are not in his name, he might not have changed the title on these homes yet. Ms. Lantz stated she had send him a letter that he needed to pay for the homes that were not his, but did not receive a response. Mr. Crane asked if he had registered. Ms. Lantz confirmed this. Mr. Lemire thought we should suspend the action and move on. The Board agreed.

Satterfield MHP: Ms. Lantz stated that Ms. Kandler has been paying into the Trust fund and is all paid up. Ms. Lantz wondered about the park having year round tenants and seasonal tenants. Ms. Kandler, the owner, is paying very different amounts each quarter, paying for only a few homes in the winter and then for all of them in the summer, but she was asked to pay for all homes, seasonal and non-seasonal each quarter. Mr. Strine questioned if the park also had RV's which would be a clear distinction. Mr. Crane thought that Mr. Speraw should look into the park. Ms. Lantz asked what exactly did the Board want Mr. Speraw to do? Mr. Crane thought he should count the homes and report what he sees. Mr. Strine suggested that maybe we can create an overlay map that shows which homes belong to the park. Ms. Lantz would draft a work order.

#### **V. EXECUTIVE SESSION:**

Mr. Crane made the motion to go into Executive Session at 2.12 p.m. Mr. Meldrum seconded the motion. Unanimous approval was given by all members present by voice vote.

Mr. Crane made the motion to come out of Executive Session at 4.00 p.m. Mr. Lemire seconded the motion. Unanimous approval was given by all members present by voice vote.

Mr. Crane made the motion to increase the Administrative Assistant work hours to 37.5 a week, with paid state holidays and two weeks paid vacation. Mr. Strine seconded the motion. Unanimous approval was given by all members present by voice vote.

#### **VI. UNFINISHED BUSINESS:**

1. Burton's Edgewater Park Seasonal park Request: The Authority had discussed this park as part of the Compliance Matters and agreed that the Compliance Investigator would go out to inspect the park again to see if it was indeed seasonal.

## 2. Mason Dixon Court Seasonal Park Request:

Ms. Lantz stated she had sent a letter to Mr. Morton, the attorney for the community owner in December 2012 requesting that the park send out a letter to all the tenants stating that if the park is seasonal the will not benefit from the Trust fund. The Authority also required proof that the letter was sent to the tenants in the community. Mr. Morton has not responded yet. Ms. Lantz also stated that the owner of the HOA of Mason Dixon Court has called her stating that the park is not seasonal. Mr. Crane questioned if the Authority should not invite the community owner to the next meeting and hear what they have to say? The Board agreed that Ms. Lantz would send out a letter and copy Ms. Romano, the President of Mason Dixon Court HOA.

## 3. Upcoming Joint Sunset Review Session:

Mr. Crane stated that the Authority's hearing has been rescheduled for 2 April 2012 starting at 5.30 PM. Mr. Crane thought it would be important to have Mr. Denman also attend. Mr. Crane made the motion to have Mr. Denman attend the JSC Review Session with him. Mr. Lemire seconded the motion. All Board Members present by voice vote agreed unanimously.

## **VII. New Business**

### **A. Recent Developments:**

1. JP Court: The Court had rejected Ms. Lantz as a Form 50 Agent as she was not an officer of the Authority. Mr. Denman was instructed by the Board to look into the Statute to see what could be done.

Mr. Crane made the motion to accept a resolution to change the title of Administrative Assistant to whatever will be necessary to file for actions in JP Court depending on what legal counsel finds. Mr. Strine seconded the motion. All Board Members present by voice vote approved unanimously.

### **B. Other New Business:**

#### 1. Procedure for approval of attorney invoices:

The Board discussed a procedure to make it easier to approve the attorney's invoices. It was discussed that Mr. Strine and Mr. Meldrum would review the invoices in the future and approve them. Mr. Meldrum made the motion to approve this. Mr. Lemire seconded the motion. The Board agreed unanimously.

## **VIII. PUBLIC COMMENTS :**

Mr. Neil made the comment that the Attorney General had ruled that Noble's Pond does fall under Chapter 70. Mr. Neil also stated that he was not certain if the park was converted to a Simple Fee or if the tenants were still leasing their lots. Mr. Neil stated that Baywood might also fall under this rule, that's the reason SB213 was created and the Board should know the history of that. Mr. Crane thanked Mr. Neil for his comments.

## **IX. ADJOURNMENT:**

The Board will meet next on March 7, 2013 at 1 p.m.

As there was no further business before the Board, the motion was made for adjournment by Mr. Crane and seconded by Mr. Strine. After unanimous approval from the members present, the meeting was adjourned at 4.30 p.m.

Respectfully submitted,

Susanne Lantz  
Administrative Assistant