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| Develop a plan to recoup Trust Fund money from Glasgow Court for permit non-compliance..... | DISCUSS |
| Approval of Mr. Strine's checklist to property owners to go along with initial letter sent when there is a change in use of land..... | DISCUSS |
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PUBLIC MEETING NOTICE

Pursuant to 29 Del. Code 10004, the Board of Directors of the Delaware Manufactured Home Relocation Authority shall convene on **July 23, 2019** commencing at **1:30 P.M.** at 110 N. Main Street, Ground Floor, Camden, Delaware.

Agenda for Meeting July 23, 2019

- I. Call to Order – 1:30 P.M.
- II. Minutes of Board Meetings Dated June 4, 2019
 - A. Review, Discussion and Approval
- III. Executive Director's Report
- IV. Chair's Report
- V. Approval of Financial Matters
 - A. Recent Financial Activity & Report (Information Only)
 - B. Approval of Legal Counsel Invoices
 - C. Approval of Docket 07-2018 Arbitrator Invoice
 - D. Approval of Book & Associates Invoice for FY Ending 6/30/18
- VI. Reports:
 - A. Compliance Matters (Executive Director)
 1. Delinquent Parks Report
 2. Compliance Investigator Report
 - B. Arbitration Matters and Status
 1. Open Dockets for Arbitration Matters and Status 2017, 2018, 2019
 2. Open Dockets for Arbitration Costs 2017 & 2018
- VII. Unfinished Business
 - A. Update on White Oak MHP Relocation Plan
 - B. Update on Right of First Offer (Sales, Closings, Change in Use of Land)
 - C. Update on Reimbursements for Minquadale and Timber Acres.
 - D. Update on Board Appointments for Messrs. Meldrum and Daly
 - E. Update on Procedure for Requesting Certificate of Occupancy Prior to Mover Payments
 - F. Update on Demolition Permits

- G. Approval of Mr. Carroll's draft letter to Senator McBride and Representative Cooke correcting the record that DEMHRA has not taken a position on Timber Acres and Minquadale assessment fee resolution

VIII. New Business:

- A. Independent Auditor's Report
- B. Application for Relocation Benefits for Key Properties Lots #1 and # 12 (White Oak MHP).
- C. Right of First Offer from Leisure Point Resort Community
- D. Determine if the previous owners of Pom Run and Layton's Rivera should be removed from Trust Fund accounts.
- E. Approval of Mr. Strine's documentation for outlining when payment for relocation benefits can be released to movers.
- F. Approval of Mr. Strine's documentation regarding increasing the benefits for movers for relocation fees.
- G. Discuss plan for Mr. Denman's replacement when he retires.
- H. Develop plan to recoup Trust Fund money from Glasgow Court for permit non-compliance.
 - I. Approve A. Strine's checklist to property owners to go along with initial letter sent when there is a change in use of land.
 - J. Update on House Bill 46
 - K. Discuss possible Board Retreat in August
 - L. Action Items

IX. Public Comments, if any

X. Executive Session

The Board may discuss, in Executive Session, pending arbitration cases, personnel matters, and litigation for the purpose of receiving legal advice relating to such matters.

XI. Next Meeting - Adjournment

Pursuant to 29 Del. Code Section 10004(e)(2), this Agenda may be changed to include additional items (including executive sessions) or the deletion of items (including executive sessions) which arise at the time of the Authority's meeting.

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY

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

Minutes of June 4, 2019 Board Meeting

IN ATTENDANCE:

Authority: Kevin Carroll
William Dunn (Arrived Late)
Andy Strine (Left Early)
George Meldrum
Jill Fuchs (Absent)
Dan Daly - Non-Voting Member

Gregg Sutton (Executive Director)
Jane Sabo (DEHMRA Assistant)

Legal Counsel: William Denman

Other Attendees: Jen Allen, First State Manufactured Housing Association
William Kinnick, Delaware Manufactured Homeowner's
Association (DMHOA)
Henry Clum, Delaware Manufactured Homeowner's
Association (DMHOA)

I. Call to Order:

Mr. Carroll called the meeting to order at 1:32 p.m. All members were present with the exception of Mr. Dunn who arrived late. Mr. Strine left the meeting at 2:25 p.m.

II. Review and Approval of Minutes:

A motion to approve the minutes was made by Mr. Strine and seconded by Ms. Fuchs. The motion carried 4:0 with one in absentia.

III. Executive Director's Report:

Mr. Sutton noted that since the last board meeting, the following has occurred:

- A FOIA request was received from Patricia Weyl regarding Pot Nets Bayside rent justification. This will be discussed in more detail under New Business.
- A notice was received for the sale of Lynch's Mobile Home Park. Right of First Offer letters were sent out to the 18 tenants on June 3, 2019.
- The last two residents of White Oak Mobile Home park have been paid their relocation benefits.
- Mr. Sutton contacted the new owners of Shady Park (MHP, LLC) and requested they contact Ms. Hambleton at the Division of Revenue to set up their Trust Fund Account. Sandhill Mobile Home Park had co-owners and one of them bought the other out. No Right of First Offer letter needs to be sent.

- Mr. Sutton received a ruling from the Supreme Court on Docket 04-2017, Sandhill Acres. This had been appealed to the Superior Court and the Supreme Court overturned the Superior Court's ruling. The arbitrator's decision was upheld by the Supreme Court and the rent increase was approved.
- The arbitrator for Wild Meadows Dockets 10-2017 and 07-2018 was awaiting the Supreme Court ruling on Docket 04-2017, Sandhill Acres. Now that the ruling has been received Dockets 10-2017 and 07-2018 will be ruled on by the arbitrator.

IV. Chair's Report:

- A letter was sent to Mr. Sutton and Mr. Carroll from Senator McBride and Representative Cook regarding Minquadale Village taking the position that Minquadale Village is a resident owned community with no rental agreements or lots rented or offered for rent. Both argued that under the specific language of 29 DE Code, Section 7001 and 7003, Chapter 73 does not apply to Minquadale. Minquadale does not want to pay into the Trust Fund. Confirmation was received from one of Minquadale's attorneys, Bob Valihura that there are in fact rental agreements and there are lots rented. Mr. Denman suggested that since the Attorney General in the past has been reluctant to take a position, legislative changes be made it clear that these types of communities are not subject to Chapter 70. Mr. Carroll reiterated that the Board needs to determine their final decision with respect to that. On one end of the spectrum, Minquadale contends that they are not subject to Chapter 70. Timber Acres, on the other hand, is at the other end as they want to continue paying into the Trust Fund. Mr. Carroll stated that we need clarity in the law so we can do right by the tenants. Both communities need to provide the Authority with copies of the rental agreements. Senator McBride and Representative Cook are both basing their conclusions on the assumption that there are no rental agreements.
- Mr. Strine asked the Board members if they agreed from a policy perspective whether the resident-owned communities should be entitled to relocation benefits in addition to what they would reap in rewards from the sale of the property. It was unanimous that they should not be included. Mr. Carroll noted that the law is unclear regarding this.
- Mr. Dunn questioned whether the McBride/Cook letter has been approved. Mr. Strine made a motion to recommend to the legislators that brought up this issue that they put forth a bill that has the exact language relative to the Right of First Offer and relocation benefits, limiting it to just that piece. Mr. Strine made a motion to make this recommendation to the legislators which was seconded by Mr. Dunn. The motion carried 5-0. Mr. Carroll wants to make it clear that the Board has not taken a formal position. He will respond to the McBride/Cook letter and correct the record. He will present the draft of this letter to the Board at the next meeting.

V. Approval of Financial Matters

A. Recent Financial Activity:

Mr. Sutton reviewed the March and April Financial Reports. This was for informational purposes only and will be posted on the DEMHRA website.

B. Approval of Legal Counsel Invoices:

The Board reviewed the invoice from legal counsel for the month of April 2019. Mr. Strine made a motion to approve the invoice which was seconded by Ms. Fuchs. The motion carried 5:0.

C. L&W Professional Liability Insurance:

The Board reviewed the invoice. Mr. Meldrum made a motion to approve the invoice which was seconded by Mr. Dunn. The motion carried 5:0.

D. Hartford Insurance Workmen's Compensation:

The Board reviewed the invoice. Mr. Dunn made a motion to approve the invoice which was seconded by Mr. Meldrum. The motion carried 5:0.

E. Trust Fund:

Mr. Dunn noted the Trust Fund continues to grow. It was discussed that under new legislation \$1.00 will be taken out of the assessment fees paid by the tenants and land owners respectively and that money will be going into a Legal Fund (details of which to be worked on prior to the administration of this new change), resulting in a reduction of approximately \$200,000 per year which the interest gained in the Trust Fund would cover.

VI. Reports:

A. Compliance Matters:

- 1. Delinquent Parks:** Mr. Sutton discussed the delinquent parks report. When the current quarter shows up on the monthly delinquent report, the park will be called or emailed to let them know it is due. If they are still not paid by the next report, DEMHRA sends a letter. If they do not send in a payment by the next report, they will be turned over to legal counsel. Currently legal counsel will be contacting the following parks that are two quarters or more late: Fords, Forest Park, Shady Park, Stage Village and Holiday Acres. Mr. Sutton noted that some parks are carrying credit balances and that they are notified to send in coupons to Christine Hambleton so she knows which quarter they should be applied to.
- 2. Compliance Investigator Report:** Mr. Sutton reported that Shady Park was audited by our compliance investigator. They fall within the margin of error on the number of homes they have been reporting. Random audits are done quarterly.

B. Open Dockets Arbitration Matters & Status:

- 1. Docket # 10-2017 (Wild Meadows HOA and Fred Neil vs. Wild Meadows MHC, LLC):** This was previously discussed in the Executive Director's Report.
- 2. Docket # 4-2018 (Pot-Nets Bayside HOA vs. Pot-Net Bayside LLC):** This was previously discussed in the Executive Director's Report.
- 3. Docket #7-2018 (Wild Meadows HOA vs. RHP Properties/Wild Meadows LLC):** This was Previously discussed in the Executive Director's Report.

C. Open Dockets – Arbitration Costs

There were no outstanding arbitration costs to report.

VII. Unfinished Business:

A. White Oak Relocation Plan:

This was previously discussed in the Executive Director's Report. Compliance officers will verify that the last remaining home on Lot #12 has been demolished before benefits are paid to Key Properties Group.

B. Update on Right of First Offer (Sales, Closings, Change in Use of Land):

Parks for Sale - Shady Park was previously discussed in the Executive Director's Report. Vanessa Mobile Home Park was sold and they are awaiting settlement. Oakway has been taken off the market.

Mr. Denman suggested following up every six months with parks for sale for an update.

Mr. Dunn asked if anyone knew if there are any upcoming communities that will be going through a change in use of land. Mr. Strine knows of one in 2020 with about 200 units.

C. Update on Reimbursements for Minquadale and Timber Acres:

This was discussed previously in the Chair's Report.

D. Board Appointments for Messrs. Meldrum and Daly:

No updates at this time.

E. Increasing the Amount Paid to Movers for Single and Double Wide Mobile Homes:

This was discussed in a previous meeting and Mr. Strine presented the data to justify increasing the amount. He made a motion to increase the relocation and demolition amounts by \$1,500 for both single wide and double wide homes. The demolition costs for the landlord should remain as is. By default, the relocation benefits paid to the tenants would increase from \$8,000 to \$9,500 for a single wide home and \$12,000 to \$13,500 for a double wide home. Non-relocatable benefits would increase from \$5,000 to \$6,500. He made a motion to approve the increases as presented. It was questioned why the increases are the same for both single and double wide homes. Mr. Strine explained that homes are usually demolished because they in such bad shape that they are inhabitable. Mr. Carroll would like this formally placed on the next agenda to be addressed at the next meeting.

VIII. New Business:

A. Letter from DEMHRA Legal Counsel to Book & Associates Regarding Status of Any Pending Legal Actions Against DEMHRA:

Status - There are no pending legal actions against DEMHRA.

B. FOIA Request from Patricia Weyl for Docket 04-2018, Pot Nets Bayside documentation. She has contacted the DOJ to file a complaint that she feels our FOIA administrative and copying fees are too excessive:

Mr. Sutton reported that the FOIA form on the DEMHRA website is incorrect. The FOIA form listed under Title 29, Chapter 100 cites that the first 20 pages are free, then a charge of \$0.10 for each additional page. The administrative cost is the hourly salary of the lowest paid person in the office after the first hour. Mr. Carroll asked Mr. Sutton to update the DEMHRA website to agree with that listed under Title 29, Chapter 100.

C. CPI-U Update:

The new rate as of April 15, 2019 is 1.503%. Some rent increase letters reflect the old rate. When this happens, Mr. Sutton contacts the land owner to let them know and it is their decision if they want to resend a corrected letter or let it as is.

D. Sandhill MHP New Ownership Structure:

This was previously discussed in the Executive Director's Report.

E. Action items:

The list of action items was discussed and Mr. Carroll requested that the following items be placed on the agenda for the July 23, 2019 Board Meeting:

Increase amount for Mover's Fees for relocation and demolition payments and increase in the amount of other benefits

Update on procedure for paying movers and requesting certificate of occupancy before payment is made

Update on demolition permits

Update on Glasgow Court plan of action by DEMHRA to recoup Trust Fund Payment

Approval of the draft of a letter to Senator McBride and Representative Cooke correcting the record that DEMHRA has not taken a position on this

IX. Public Comments

Mr. Kinnick provided a memo to DEMHRA regarding recovering all funding for Glasgow Court land use change. It has been approximately six years since the request for change in land use was executed, and the landowner still hasn't provided an approved permit for the change in use of land. This exceeds the 3-year stipulation to execute the land use change. In a January 2019 meeting with New Castle County Executives and its departments, they agreed that the landowner is still in violation of county codes which would prelude their ability to obtain a permit. DMHOA and its homeowners request immediate action on recouping our Trust Fund money for the lack of a land use change action. Mr. Carroll noted that this will be taken under advisement.

X. Executive Session: As there were no items to be discussed in Executive Session, the Board did not go into Executive Session.

XI. Next Meeting Date - Adjournment

The Board set the next meeting date as July 23, 2019 at 1:30 p.m. Mr. Dunn made a motion to adjourn the meeting. Mr. Meldrum seconded the motion. The motion carried 4:0 with one in absentia. As there was nothing further to discuss, the Board adjourned at 2:28 p.m.

Respectfully submitted,

Gregg Sutton
Executive Director

Delaware Manufactured Home Relocation Authority
Financial Summary – Cash Basis
May 2019

Revenues

The Delaware Manufactured Home Relocation Authority (the Authority), has a Trust Fund administered by the Delaware Division of Revenue. As shown on page 3, assessments collected during May 2019 totaled \$49,765.00. Additionally, \$20,723.41 of interest was posted to the Trust Fund in May 2019 for cash held during April 2019.

For the fiscal year, assessments collected totaled \$1,198,733.15, arbitration fees collected totaled \$3,730.50 and interest received totaled \$118,461.13 (page 4).

Since inception on April 1, 2004, the Authority has collected assessments totaling \$13,349,863.66, total interest received is \$679,126.88, arbitration fees collected is \$25,401.15, and total special collections are \$8,050.00 (page 5).

Expenditures

The Authority paid \$2,725.85 of relocation assistance during May 2019. The Authority paid personnel costs and bills for professional services, office expenses, and utilities during May 2019 totaling \$19,345.81 (page 3).

For the fiscal year, the Authority has paid \$146,700.00 of relocation assistance; \$73,042.29 in personnel costs; \$9,511.12 in occupancy costs; and \$78,243.89 in general and administrative costs (page 4).

Since inception on April 1, 2004, the Authority has paid \$2,445,216.62 of relocation costs; \$488,876.13 in personnel costs; \$89,387.11 in occupancy costs; and \$1,242,384.52 in general and administrative costs, of which \$500.00 was used to set up a petty cash account for daily incidentals (page 5).

Net Position – Cash Basis - at May 31, 2019:

Trust Fund - \$9,746,549.15

Operating Fund – \$49,568.34

Petty Cash - \$459.82

Delaware Manufactured Housing Relocation Authority
Statement of Assets, Liabilities and Net Assets - Cash Basis
As of May 31, 2019

ASSETS

| | |
|------------------|-------------------------------|
| Current Assets | |
| Checking/Savings | |
| Petty Cash | \$ 459.82 |
| Trust Fund | 9,746,549.15 |
| WSFS Checking | <u>49,568.34</u> |
| TOTAL ASSETS | <u><u>\$ 9,796,577.31</u></u> |

LIABILITIES & EQUITY

| | |
|--------------------------------|-------------------------------|
| Total Liabilities | <u>-</u> |
| Net Assets | |
| Net Assets - Prior Years | \$ 8,783,149.58 |
| Net Increase - Current Year | <u>1,013,427.73</u> |
| Total Equity | <u>9,796,577.31</u> |
| TOTAL LIABILITIES & NET ASSETS | <u><u>\$ 9,796,577.31</u></u> |

Delaware Manufactured Home Relocation Authority
Statements of Revenue, Expenditures and Changes in Net Assets - Cash Basis

| | April 2019 | | | |
|---|--------------------------------------|---|------------------|------------------------|
| | Division of Revenue Trust Fund | Relocation Authority Operating Fund | Petty Cash | Total |
| REVENUES: | | | | |
| Assessments | \$ 49,765.00 | \$ - | \$ - | \$ 49,765.00 |
| Arbitration fees | - | - | - | - |
| Interest income | 20,723.41 | - | - | 20,723.41 |
| TOTAL REVENUES | 70,488.41 | - | - | 70,488.41 |
| DRAWS | (60,000.00) | 60,000.00 | - | - |
| EXPENDITURES: | | | | |
| <u>Program Services</u> | | | | |
| Relocation Assistance | | | | |
| Reimbursements for moving costs | - | - | - | - |
| Payments for non-relocatable homes | - | - | - | - |
| Payments for abandoned homes | 2,725.85 | - | - | 2,725.85 |
| Total program services | 2,725.85 | - | - | 2,725.85 |
| <u>Support Services</u> | | | | |
| Personnel | | | | |
| Wages - Administrative | - | 7,248.25 | - | 7,248.25 |
| Wages - Compliance | - | - | - | - |
| Payroll Taxes | - | 555.57 | - | 555.57 |
| Total personnel | - | 7,803.82 | - | 7,803.82 |
| Occupancy | | | | |
| Rent | - | 593.00 | - | 593.00 |
| Utilities | - | 272.95 | - | 272.95 |
| Total occupancy | - | 865.95 | - | 865.95 |
| General and administrative | | | | |
| Accounting and auditing fees | - | - | - | - |
| Advertising | - | - | - | - |
| Bank services charges | - | 25.00 | - | 25.00 |
| Bookkeeping & payroll processing | - | 775.00 | - | 775.00 |
| Consulting fees | - | - | - | - |
| Copying | - | - | - | - |
| Legal fees | - | 2,756.00 | - | 2,756.00 |
| Arbitration costs | - | 7,053.96 | - | 7,053.96 |
| Office expenses | - | 2.28 | - | 2.28 |
| Travel - Administrative | - | 63.80 | - | 63.80 |
| Travel - Compliance | - | - | - | - |
| Postage | - | - | - | - |
| Supplies | - | - | - | - |
| Total general and administrative | - | 10,676.04 | - | 10,676.04 |
| Total support services | - | 19,345.81 | - | 19,345.81 |
| TOTAL EXPENDITURES | 2,725.85 | 19,345.81 | - | 22,071.66 |
| CHANGE IN NET ASSETS | 7,762.56 | 40,654.19 | - | 48,416.75 |
| BEGINNING NET ASSETS | 9,738,786.59 | 8,914.15 | 459.82 | 9,748,160.56 |
| ENDING NET ASSETS | \$ 9,746,549.15 | \$ 49,568.34 | \$ 459.82 | \$ 9,796,577.31 |

Delaware Manufactured Home Relocation Authority
Statements of Revenue, Expenditures and Changes in Net Assets - Cash Basis

| | July 2018 - June 2019 | | | |
|---|--------------------------------------|---|------------------|------------------------|
| | Division of Revenue Trust Fund | Relocation Authority Operating Fund | Petty Cash | Total |
| REVENUES: | | | | |
| Assessments | \$ 1,198,733.15 | \$ - | \$ - | \$ 1,198,733.15 |
| Arbitration fees | - | 3,735.75 | (5.00) | 3,730.75 |
| Interest Income | 118,461.13 | - | - | 118,461.13 |
| TOTAL REVENUES | 1,317,194.28 | 3,735.75 | (5.00) | 1,320,925.03 |
| DRAWS | (180,000.00) | 179,273.99 | 726.01 | - |
| EXPENDITURES: | | | | |
| <u>Program Services</u> | | | | |
| Relocation Assistance | | | | |
| Reimbursements for moving costs | 132,000.00 | - | - | 132,000.00 |
| Payments for non-relocatable homes | - | - | - | - |
| Payments for abandoned homes | 14,700.00 | - | - | 14,700.00 |
| Total program services | 146,700.00 | - | - | 146,700.00 |
| <u>Support Services</u> | | | | |
| Personnel | | | | |
| Wages - Administrative | - | 64,898.50 | - | 64,898.50 |
| Wages - Compliance | - | 3,048.75 | - | 3,048.75 |
| Payroll Taxes | - | 5,095.04 | - | 5,095.04 |
| Total personnel | - | 73,042.29 | - | 73,042.29 |
| Occupancy | | | | |
| Rent | - | 5,930.00 | - | 5,930.00 |
| Utilities | - | 3,581.12 | - | 3,581.12 |
| Total occupancy | - | 9,511.12 | - | 9,511.12 |
| General and administrative | | | | |
| Accounting and auditing fees | - | 9,341.25 | - | 9,341.25 |
| Advertising | - | - | - | - |
| Bank services charges | - | 25.00 | - | 25.00 |
| Bookkeeping & payroll processing | - | 8,287.88 | - | 8,287.88 |
| Consulting fees | - | - | - | - |
| Copying | - | 852.97 | - | 852.97 |
| Legal fees | - | 14,751.70 | - | 14,751.70 |
| Arbitration costs | - | 37,856.22 | - | 37,856.22 |
| Office expenses | - | 3,294.36 | - | 3,294.36 |
| Travel - Administrative | - | 1,763.26 | - | 1,763.26 |
| Travel - Compliance | - | 910.30 | - | 910.30 |
| Postage | - | 55.00 | 324.41 | 379.41 |
| Supplies | - | 667.45 | 114.09 | 781.54 |
| Total general and administrative | - | 77,805.39 | 438.50 | 78,243.89 |
| Total support services | - | 160,358.80 | 438.50 | 160,797.30 |
| TOTAL EXPENDITURES | 146,700.00 | 160,358.80 | 438.50 | 307,497.30 |
| CHANGE IN NET ASSETS | 990,494.28 | 22,650.94 | 282.51 | 1,013,427.73 |
| BEGINNING NET ASSETS | 8,756,054.87 | 26,917.40 | 177.31 | 8,783,149.58 |
| ENDING NET ASSETS | \$ 9,746,549.15 | \$ 49,568.34 | \$ 459.82 | \$ 9,796,577.31 |

Delaware Manufactured Home Relocation Authority
Statement of Revenues, Expenditures and Changes in Net Assets - Cash Basis

| | Fund-to-Date | | | Total |
|------------------------------------|--------------------------------------|---|------------------|------------------------|
| | Division of Revenue Trust Fund | Relocation Authority Operating Fund | Petty Cash* | |
| REVENUES: | | | | |
| Assessments | \$ 13,345,363.66 | \$ 4,500.00 | \$ - | \$ 13,349,863.66 |
| Arbitration fees | - | 25,406.15 | (5.00) | 25,401.15 |
| Special collection | - | 8,050.00 | - | 8,050.00 |
| Interest Income | 679,126.88 | - | - | 679,126.88 |
| TOTAL REVENUES | 14,024,490.54 | 37,956.15 | (5.00) | 14,062,441.69 |
| DRAWS | (1,848,750.00) | 1,840,573.98 | 8,176.02 | - |
| EXPENDITURES: | | | | |
| <u>Program Services</u> | | | | |
| Relocation Assistance | | | | |
| Reimbursements for moving costs | 1,753,364.59 | 931.91 | - | 1,754,296.50 |
| Payments for non-relocatable homes | 323,533.50 | 18,620.30 | - | 342,153.80 |
| Payments for abandoned homes | 348,093.30 | 673.02 | - | 348,766.32 |
| Total program services | 2,424,991.39 | 20,225.23 | - | 2,445,216.62 |
| <u>Support Services</u> | | | | |
| Personnel | | | | |
| Wages - Administrative | - | 403,229.05 | - | 403,229.05 |
| Wages - Compliance | - | 48,512.35 | - | 48,512.35 |
| Payroll Taxes | - | 37,134.73 | - | 37,134.73 |
| Total personnel | - | 488,876.13 | - | 488,876.13 |
| Occupancy | | | | |
| Rent | - | 58,052.58 | - | 58,052.58 |
| Utilities | - | 31,334.53 | - | 31,334.53 |
| Total occupancy | - | 89,387.11 | - | 89,387.11 |
| General and administrative | | | | |
| Accounting fees | - | 345,171.68 | - | 345,171.68 |
| Advertising | - | 2,015.80 | - | 2,015.80 |
| Bank services charges | - | 254.50 | - | 254.50 |
| Bookkeeping & payroll processing | - | 174,673.37 | - | 174,673.37 |
| Consulting fees | 4,200.00 | 11,145.00 | - | 15,345.00 |
| Copying | - | 1,484.60 | 61.52 | 1,546.12 |
| Legal fees | - | 392,082.77 | - | 392,082.77 |
| Arbitration costs | - | 208,421.16 | - | 208,421.16 |
| Office expenses | - | 36,220.01 | 335.67 | 36,555.68 |
| Travel - Administrative | - | 17,874.97 | 36.65 | 17,911.62 |
| Travel - Compliance | - | 23,547.82 | - | 23,547.82 |
| Postage | - | 5,634.90 | 5,581.73 | 11,216.63 |
| Supplies | - | 11,946.74 | 1,695.63 | 13,642.37 |
| Total general and administrative | 4,200.00 | 1,230,473.32 | 7,711.20 | 1,242,384.52 |
| Total support services | 4,200.00 | 1,808,736.56 | 7,711.20 | 1,820,647.76 |
| TOTAL EXPENDITURES | 2,429,191.39 | 1,828,961.79 | 7,711.20 | 4,265,864.38 |
| CHANGE IN NET ASSETS | 9,746,549.15 | 49,568.34 | 459.82 | 9,796,577.31 |
| BEGINNING NET ASSETS | - | - | - | - |
| ENDING NET ASSETS | \$ 9,746,549.15 | \$ 49,568.34 | \$ 459.82 | \$ 9,796,577.31 |

* Petty cash statistics are only available from September 2010 - current period.

**Delaware Manufactured Home Relocation Trust Fund
Account Summary**

Balance: \$9,746,549.15

| Date | Explanation | Revenue/Interest | Expenses | Balance |
|------------|--|------------------|-------------|----------------|
| | | Debit | Credit | |
| 7/1/2018 | Deposit - June Interest | \$1,778.62 | | \$8,757,833.49 |
| 7/3/2018 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$8,749,833.49 |
| 7/3/2018 | DE Manufactured Housing Relocation Authority (Abandonment & Taxes) | | \$1,500.00 | \$8,748,333.49 |
| 7/23/2018 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$8,740,333.49 |
| 7/31/2018 | Deposit | \$259,892.82 | | \$9,000,226.31 |
| 8/1/2018 | Deposit - July Interest | \$3,236.41 | | \$9,003,462.72 |
| 8/1/2018 | Withdrawal to Operating Account | | \$60,000.00 | \$8,943,462.72 |
| 8/3/2018 | Marshall & Bailey (Relocation & Setup) | | \$60,000.00 | \$8,883,462.72 |
| 8/9/2018 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$8,875,462.72 |
| 8/15/2018 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$8,867,462.72 |
| 8/27/2018 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$8,859,462.72 |
| 8/31/2018 | Deposit | \$30,652.50 | | \$8,890,115.22 |
| 9/1/2018 | Deposit - August Interest | \$6,162.27 | | \$8,896,277.49 |
| 9/19/2018 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$8,888,277.49 |
| 9/30/2018 | Deposit | \$13,287.50 | | \$8,901,564.99 |
| 10/1/2018 | Deposit - September Interest | \$4,431.52 | | \$8,905,996.51 |
| 10/31/2018 | Deposit | \$267,180.09 | | \$9,173,176.60 |
| 11/1/2018 | Deposit - October Interest | \$4,212.74 | | \$9,177,389.34 |
| 11/7/2018 | Marshall & Bailey (Relocation & Setup) | | \$16,000.00 | \$9,161,389.34 |
| 11/16/2018 | Shana Mustachio (Abandonment) | | \$1,500.00 | \$9,159,889.34 |
| 11/30/2018 | St. Jones Landing, LLC (Removal and Disposal) | | \$3,000.00 | \$9,156,889.34 |
| 11/30/2018 | Deposit | \$12,059.00 | | \$9,168,948.34 |
| 12/1/2018 | Deposit - November Interest | \$7,866.14 | | \$9,176,814.48 |
| 12/31/2018 | St. Jones Landing, LLC (Removal and Disposal) | | \$3,000.00 | \$9,173,814.48 |
| 12/31/2018 | Deposit | \$4,645.00 | | \$9,178,459.48 |
| 1/1/2019 | Deposit - December Interest | \$14,802.14 | | \$9,193,261.62 |
| 1/7/2019 | Marshall & Bailey (Relocation & Setup) | | \$8,000.00 | \$9,185,261.62 |
| 1/16/2019 | Withdrawal to Operating Account | | \$60,000.00 | \$9,125,261.62 |
| 1/31/2019 | Deposit | \$272,442.87 | | \$9,397,704.49 |
| 2/1/2019 | Deposit - January Interest | \$17,166.22 | | \$9,414,870.71 |
| 2/27/2019 | Sherry Fullmore (Abandonment) | | \$1,500.00 | \$9,413,370.71 |
| 2/28/2019 | Deposit | \$24,890.00 | | \$9,438,260.71 |
| 3/1/2019 | Deposit - February Interest | \$17,244.45 | | \$9,455,505.16 |
| 3/29/2019 | Deposit | \$20,110.00 | | \$9,475,615.16 |
| 4/1/2019 | Deposit - March Interest | \$20,837.21 | | \$9,496,452.37 |
| 4/29/2019 | Sussex County - Grace Tinley (Abandonment - Taxes Owed) | | \$1,274.15 | \$9,495,178.22 |
| 4/29/2019 | Doelze Appraisals - Grace Tinley (Appraisal) | | \$200.00 | \$9,494,978.22 |
| 4/30/2019 | Deposit | \$243,808.37 | | \$9,738,786.59 |
| 5/1/2019 | Deposit - April Interest | \$20,723.41 | | \$9,759,510.00 |
| 5/17/2019 | Grace Tinley (Abandonment) | | \$2,725.85 | \$9,756,784.15 |
| 5/22/2019 | Withdrawal to Operating Account | | \$60,000.00 | \$9,696,784.15 |
| 5/31/2019 | Deposit | \$49,765.00 | | \$9,746,549.15 |
| | | | | |
| | | | | |

PARKOWSKI, GUERKE & SWAYZE, P.A.

116 WEST WATER STREET

P.O. BOX 598

DOVER, DE 19903

(302) 678-3262

FAX: 302-678-9415

E.I. NUMBER 51-0264385

JUL 08 2019

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY
C/O KEVIN CARROLL, CHAIRPERSON
110 N. MAIN STREET, SUITE F
CAMDEN DE 19934

PAGE: 1
JUNE 30, 2019
ACCOUNT NO: 2040

| PREVIOUS BALANCE | FEES | EXPENSES | ADVANCES | PAYMENTS | BALANCE |
|--------------------------------------|----------|----------|----------|-----------|-------------------|
| 2040-0000 RE: GENERAL REPRESENTATION | | | | | |
| 3,224.00 | 1,066.00 | 0.00 | 0.00 | -2,756.00 | <u>\$1,534.00</u> |

Approved by
Andy and
George
7/9/19

Scanned to Joanne
Kent
7/9/19

PLEASE MAKE CHECKS PAYABLE TO PARKOWSKI, GUERKE & SWAYZE AND
INCLUDE THE ACCOUNT NUMBER FOUND IN THE UPPER RIGHT HAND CORNER

PARKOWSKI, GUERKE & SWAYZE, P.A.
 116 WEST WATER STREET
 P.O. BOX 598
 DOVER, DE 19903
 (302) 678-3262
 FAX: 302-678-9415
 E.I. NUMBER 51-0264385

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY
 C/O KEVIN CARROLL, CHAIRPERSON
 110 N. MAIN STREET, SUITE F
 CAMDEN DE 19934

PAGE: 1
 JUNE 30, 2019
 ACCOUNT NO: 2040-0000
 STATEMENT NO: 187

RE: GENERAL REPRESENTATION

| | | | HOURS | |
|------------|-----|--|-------|----------|
| 06/03/2019 | WAD | Prepare for board meeting; review Minquidale/Timber Acres status; review agenda and FOIA requests | 1.00 | 260.00 |
| | WAD | Telecon with Gregg Sutton regarding Timber Acres and FOIA request | 0.30 | 78.00 |
| 06/04/2019 | WAD | Review and send emails re: Minquidale/Timber Acres; telecon with the chair regarding issues; prepare for board meeting | 0.90 | 234.00 |
| | WAD | Attendance at board meeting | 1.00 | 260.00 |
| | WAD | Conference with Executive Director after board meeting regarding next board meeting and FOIA documents | 0.20 | 52.00 |
| 06/18/2019 | WAD | Review and draft changes to the minutes | 0.50 | 130.00 |
| 06/19/2019 | WAD | Telecon with G. Sutton regarding minutes | 0.20 | 52.00 |
| | | FOR CURRENT SERVICES RENDERED | 4.10 | 1,066.00 |

| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| William A. Denman | 4.10 | \$260.00 | \$1,066.00 |

TOTAL CURRENT WORK FOR MONTH ENDING 06/30/2019 1,066.00

PREVIOUS BALANCE \$3,224.00

06/10/2019 Payment -2,756.00

JUN 10 2019

PARKOWSKI, GUERKE & SWAYZE, P.A.

116 WEST WATER STREET

P.O. BOX 598

DOVER, DE 19903

(302) 678-3262

FAX: 302-678-9415

E.I. NUMBER 51-0264385

*Approved by Geerke & Swayze
6-13-19*

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY
C/O KEVIN CARROLL, CHAIRPERSON
110 N. MAIN STREET, SUITE F
CAMDEN DE 19934

PAGE: 1
MAY 31, 2019

ACCOUNT NO: 2040

| PREVIOUS BALANCE | FEES | EXPENSES | ADVANCES | PAYMENTS | BALANCE |
|--|--------|----------|----------|----------|-------------------|
| 2040-0000 RE: GENERAL REPRESENTATION 2,756.00 | 468.00 | 0.00 | 0.00 | 0.00 | <u>\$3,224.00</u> |

Payment in the Amount of \$ 2756.00
Will be reflected on Next Statement

6/6/19

PLEASE MAKE CHECKS PAYABLE TO PARKOWSKI, GUERKE & SWAYZE AND
INCLUDE THE ACCOUNT NUMBER FOUND IN THE UPPER RIGHT HAND CORNER

PARKOWSKI, GUERKE & SWAYZE, P.A.
 116 WEST WATER STREET
 P.O. BOX 598
 DOVER, DE 19903
 (302) 678-3262
 FAX: 302-678-9415
 E.I. NUMBER 51-0264385

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY
 C/O KEVIN CARROLL, CHAIRPERSON
 110 N. MAIN STREET, SUITE F
 CAMDEN DE 19934

PAGE: 1
 MAY 31, 2019
 ACCOUNT NO: 2040-0000
 STATEMENT NO: 186

RE: GENERAL REPRESENTATION

| | | | HOURS | | |
|------------|-----|---|-------------|--|---------------|
| 05/02/2019 | WAD | Work on response to audit letter | 0.50 | | 130.00 |
| 05/03/2019 | WAD | Telecon with Book & Associates regarding contingent claims and audit letter | 0.30 | | 78.00 |
| 05/06/2019 | WAD | Finalize audit letter | 0.50 | | 130.00 |
| | WAD | Review and draft changes to the April 2019 minutes and forward to client | 0.50 | | 130.00 |
| | | FOR CURRENT SERVICES RENDERED | <u>1.80</u> | | <u>468.00</u> |

| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| William A. Denman | 1.80 | \$260.00 | \$468.00 |

| | |
|---|-------------------|
| TOTAL CURRENT WORK FOR MONTH ENDING 05/31/2019 | 468.00 |
| PREVIOUS BALANCE | \$2,756.00 |
| BALANCE DUE | <u>\$3,224.00</u> |

PLEASE MAKE CHECKS PAYABLE TO PARKOWSKI, GUERKE & SWAYZE AND
 INCLUDE THE ACCOUNT NUMBER FOUND IN THE UPPER RIGHT HAND CORNER

Scanned to
7/16/19
Gouma here

Sergovic Carmean Weidman McCartney & Owens, P. A.

25 Chestnut Street
P. O. Box 751
Georgetown, DE 19947
Phone: 302-855-1260
Fax: 302-855-1270

Scanned to
Andy & Georg
7/15/19

Invoice submitted to:

Delaware Manufactured Home Relocation Authority
c/o Gregory Sutton, Executive Director
110 N. Main Street, Suite F
Camden, DE 19934

July 09, 2019
Invoice #: 20804
Client #: D1401-0002 DJW
NET 30 DAYS FROM DATE OF
INVOICE

*Pays 19-20
are duplicates
of this invoice*

RE: Arbitration 2018 - Wild Meadows
Homeowners Association

Docket # 07-2018

Professional Services

| | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|--|-------------------|---------------|
| 6/3/2019 | DJW Review Morton's response to my 5/16/19 email discussing the Sandhill decision; Review Morton's response to Beskrone's Motion to Reconsider | 0.70 300.00/hr | 210.00 |
| 6/4/2019 | DJW Review and respond to email from Beskrone re: discovery | 0.10 300.00/hr | 30.00 |
| | DJW Review and respond to email from Morton | 0.10 300.00/hr | 30.00 |
| 6/7/2019 | DJW Review Mr. Morton's Response to Motion for Reconsideration; Draft decision on Motion for Reconsideration | 1.80 300.00/hr | 540.00 |
| 6/10/2019 | DJW Review emails from Morton re: a gag Order to prohibit release of discovery decision; Emails to counsel | 0.30 300.00/hr | 90.00 |
| 6/18/2019 | DJW Review and respond to Morton's email; Review letter from Beskrone re: Discovery; Email to counsel | 0.40 300.00/hr | 120.00 |
| 6/20/2019 | DJW Review draft Confidentiality Agreement; Email to counsel | 0.50 300.00/hr | 150.00 |
| | DJW Review email from Morton; Email to counsel | 0.80 300.00/hr | 240.00 |
| 6/21/2019 | DJW Research and review case law re: Maintaining confidential information submitted by the parties at arbitration as part of the arbitrator's decision | 0.30 300.00/hr | 90.00 |
| 6/25/2019 | DJW Review Beskrone's emails and revisions to Confidentiality Agreement; Review case law; Compare Beskrone's edits to model Court of Chancery Agreement; Email to Counsel; Draft Confidentiality Agreement for the parties to sign; Review and respond to Mr. Morton's email re: discovery | 1.90 300.00/hr | 570.00 |
| 6/26/2019 | DJW Review Beskrone's responses to questions about depositions; Email to Counsel | 0.70 300.00/hr | 210.00 |

For professional services rendered

\$2,280.00

Administrative Fee

\$34.20

| | <u>Amount</u> |
|---|---------------------|
| Total amount of this bill | \$2,314.20 |
| Previous balance | \$1,187.55 |
| Accounts receivable transactions | |
| 6/28/2019 Payment - Thank You. Check No. 3088 | (\$1,187.55) |
| Total payments and adjustments | (\$1,187.55) |
| BALANCE DUE | \$2,314.20 |

Administrative Fee - 1-1/2% of current invoice (copies, faxes, etc.) - 18% Finance charge after 30 days

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER

PLEASE FEEL FREE TO MAKE YOUR CHECK PAYABLE TO SCWMO, P.A.

CHECK POLICY: By using a check for payment, you agree to the following terms: In the event your check is dishonored or returned for any reason, you authorize us to electronically (or by paper draft) re-present the check to your bank account for collection of the amount of the check, plus any applicable fees as permitted by state law.

Sergovic Carmean Weidman McCartney & Owens, P. A.

25 Chestnut Street
P. O. Box 751
Georgetown, DE 19947
Phone: 302-855-1260
Fax: 302-855-1270

Invoice submitted to:

Delaware Manufactured Home Relocation Authority
c/o Gregory Sutton, Executive Director
110 N. Main Street, Suite F
Camden, DE 19934

July 09, 2019

Invoice #: 20804

Client #: D1401-0002 DJW

NET 30 DAYS FROM DATE OF
INVOICE

RE: Arbitration 2018 - Wild Meadows
Homeowners Association

Docket # 07-2018

Professional Services

| | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|--|-------------------|---------------|
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| 6/4/2019 | DJW Review and respond to email from Beskrone re: discovery | 0.10 300.00/hr | 30.00 |
| | DJW Review and respond to email from Morton | 0.10 300.00/hr | 30.00 |
| 6/7/2019 | DJW Review Mr. Morton's Response to Motion for Reconsideration; Draft decision on Motion for Reconsideration | 1.80 300.00/hr | 540.00 |
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| 6/18/2019 | DJW Review and respond to Morton's email; Review letter from Beskrone re: Discovery; Email to counsel | 0.40 300.00/hr | 120.00 |
| 6/20/2019 | DJW Review draft Confidentiality Agreement; Email to counsel | 0.50 300.00/hr | 150.00 |
| | DJW Review email from Morton; Email to counsel | 0.80 300.00/hr | 240.00 |
| 6/21/2019 | DJW Research and review case law re: Maintaining confidential information submitted by the parties at arbitration as part of the arbitrator's decision | 0.30 300.00/hr | 90.00 |
| 6/25/2019 | DJW Review Beskrone's emails and revisions to Confidentiality Agreement; Review case law; Compare Beskrone's edits to model Court of Chancery Agreement; Email to Counsel; Draft Confidentiality Agreement for the parties to sign; Review and respond to Mr. Morton's email re: discovery | 1.90 300.00/hr | 570.00 |
| 6/26/2019 | DJW Review Beskrone's responses to questions about depositions; Email to Counsel | 0.70 300.00/hr | 210.00 |

For professional services rendered

\$2,280.00

Administrative Fee

\$34.20

| | <u>Amount</u> |
|---|-----------------------|
| Total amount of this bill | \$2,314.20 |
| Previous balance | \$1,187.55 |
| Accounts receivable transactions | |
| 6/28/2019 Payment - Thank You. Check No. 3088 | (\$1,187.55) |
| Total payments and adjustments | (\$1,187.55) |
| BALANCE DUE | \$2,314.20 |

Administrative Fee - 1-1/2% of current invoice (copies, faxes, etc.) - 18% Finance charge after 30 days

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JUN 10 2019

Sergovic Carmean Weidman McCartney & Owens, P. A.

25 Chestnut Street
P. O. Box 751
Georgetown, DE 19947
Phone: 302-855-1260
Fax: 302-855-1270

6/12/19
Approved by
Andy & George
Scanned to Joanne
Kent

Invoice submitted to:

Delaware Manufactured Home Relocation Authority
c/o Gregory Sutton, Executive Director
110 N. Main Street, Suite F
Camden, DE 19934

June 07, 2019
Invoice #: 20288
Client #: D1401-0002 DJW
NET 30 DAYS FROM DATE OF
INVOICE

6/13/19

RE: Arbitration 2018 - Wild Meadows
Homeowners Association

07-2018

Professional Services

| | | <u>Hrs/Rate</u> | <u>Amount</u> |
|---|---|-------------------|-------------------|
| 5/14/2019 | DJW Review Supreme Court decision in Sandhill Acres; compare decision to facts of this case | 0.70 300.00/hr | 210.00 |
| 5/15/2019 | DJW Draft email to counsel re: effect of Sandhill decision on the facts of the case | 1.50 300.00/hr | 450.00 |
| 5/16/2019 | DJW Proofread and revise email to counsel | 0.80 300.00/hr | 240.00 |
| 5/20/2019 | DJW Review email from Beskrone re: discovery and Motion for Summary Judgment | 0.10 300.00/hr | 30.00 |
| 5/21/2019 | DJW Review Beskrone's Motion for Reconsideration; Email to counsel | 0.80 300.00/hr | 240.00 |
| For professional services rendered | | | \$1,170.00 |
| Administrative Fee | | | \$17.55 |
| Total amount of this bill | | | \$1,187.55 |
| BALANCE DUE | | | \$1,187.55 |

Administrative Fee - 1-1/2% of current invoice (copies, faxes, etc.) - 18% Finance charge after 30 days

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER

PLEASE FEEL FREE TO MAKE YOUR CHECK PAYABLE TO SCWMO, P.A.

CHECK POLICY: By using a check for payment, you agree to the following terms: In the event your check is dishonored or returned for any reason, you authorize us to electronically (or by paper draft) re-present the check to your bank account for collection of the amount of the check, plus any applicable fees as permitted by state law.



Raymond F.

Book & Associates

Certified Public Accountants

*Scan to analyze
and go 6/17/19*

220 BEISER BLVD.
DOVER, DE 19904

Phone (302) 734-5826

Scan to go 6/18/19

Ref: VASCIK

Client ID: 1605

Invoice: 2000041966

Date: 06/14/2019

DELAWARE MANUFACTURED HOME RELOCATION
AUTHORITY
110 N MAIN STREET
SUITE F
CAMDEN, DE 19934

Due Upon Receipt

For professional service rendered as follows:

Audit of financial statements for the year ended June 30, 2018.

9,400.00

New Charges

\$9,400.00

| | |
|-------------------|------------|
| Beginning Balance | \$0.00 |
| Invoices | 9,400.00 |
| Receipts | 0.00 |
| Adjustments | 0.00 |
| Service Charges | 0.00 |
| Amount Due | \$9,400.00 |

06/14/2019

9,400.00

05/31/2019

0.00

04/30/2019

0.00

03/31/2019

0.00

02/28/2019+

0.00

Total

\$9,400.00

Raymond F. Book & Associates, P.A. reserves the right to charge interest at 1.5% per month on accounts unpaid 45 days after the invoice date.

Please return this portion with payment.

Invoice: 2000041966

ID: 1605

DELAWARE MANUFACTURED HOME
RELOCATION AUTHORITY

302-674-7768

Date: 06/14/2019

Amount Due: \$9,400.00

Amount Enclosed:

\$ _____

Date of Report: 7/8/19

Q1 2019 January 1 2019 to March 31 2019 – Due April 20, 2019 – Not Paid and Now More Than 30 Days Late

Countryside Mobile Estates – Email Sent 5/20/19
Dackerg – Email Sent 5/10/19
Granada Court – Email Sent 5/20/19
Lake Forest – No email. Called 5/20/19
Magnolia Crossing – Email Sent 5/20/19
Oakway – No email. Called 5/20/19
Shady Oak TP – Email Sent 5/20/19
Upcountry MHP – Email Sent 5/20/19
Vanessa MHC – Email Sent 5/2019 Remind to collect from tenants

*Won't ~~show~~ be
2 yrs late until 7/28/19
Recommend Attorney letters
after next report*

* Delinquent 2 Quarters or More – Refer to Legal 6/19/19

Appleby - Sent payment but checks bounced. As of 6/19 no payment received
Q4 2018
Q1 2019

Country Acres
Q1 2019 – Emailed 5/20/19 to remind her to contact DOR to zero out balance
Q4 2018 – Emailed 4/25/19 to straighten out with Christine as Account has a credit of \$495.00

Forest Park
Q1 – Letter sent 5/20/19
Q2 2018, Q3 2018, Q4 2018 – Numerous Phone Calls

Hecker Properties
Q4 2018 – Phone Calls
Q1 2019 – Letter Sent 5/20/19

Holiday Acres
Q1 2019 – Letter 5/20/19
2018 – Numerous Calls

J&J – Gentleman stopped in on 4/25 and given information to contact DOR to get coupons and pay. Not paid as of 6/19/19 for Q2, 3, 4 2017 All of 2018 Q1 2019

Wilson Avenue
Q4 2018, Q1 2019 – Called Diane Martin and she is going to straighten out account with DOR. Letter sent 5/20/19 to pay and zero out credit of \$120.00

Woodside
Q1 2018, Q4 2018, Q1 2019 Called Diane Martin and she is going to straighten out account with DOR.
Letter sent 5/20/19 to pay and zero out credit of \$338.50

2019 ARBITRATION MATTERS AS OF 7/11/19

| Petitioner | Respondent | Petition Date | Checks received | Arbitrator | Date of Arbitration | Arbitrators Decision/Appeal | Status |
|---|-------------------|----------------------|--|-------------------|----------------------------|------------------------------------|---------------|
| Richard and Barbara Rubin vs. Bon Ayre Docket #01-2019 | Bon Ayre | 6/19/2019 | Richard and Barbara Ruben, Check # 1565 for \$250; Rumanno & Rumanno Check # 62741 for \$250 | Mary Sherlock | | | |
| | | | | | | | |

2018 ARBITRATION MATTERS AS OF 7/10/19

| Petitioner | Respondent | Petition Date | Checks received | Arbitrator | Date of Arbitration | Arbitrators Decision/Appeal | Status |
|---|---------------------------------|---------------|---|---------------|---------------------|---|---------|
| Wild Meadows HOA vs RPH Properties/Wild Meadows LLC Docket 07-2018 | RHP Properties/Wild Meadows LLC | 12.6.18 | 12/6/18 Check #1200 \$250 from Wild Meadows HOA; 12/27/18 Check #25477, from Michael Morton \$250 | David Weidman | Pending | Decision Arbitrator waiting on ruling from Superior Court on Sandhill Acres. 7/8/19 Still pending awaiting decision. | PENDING |

X

2017 ARBITRATION MATTERS AS OF 7/11/19

| Petitioner | Respondent | Petition Date | Checks received | Arbitrator | Date of Arbitration | Arbitrators Decision/Appeal | Status |
|---|-----------------------|----------------------|---|-----------------------|----------------------------|---|---------------|
| Sandhill Acres HOA vs. ARCAP, L.C. Docket # 4-2017 | ARCAP, L.C. | 3.9.17 | 3/9/17 Chk # 19636 for \$250 from CLASI; 3/15/17 Chk # 2388 for \$20 from Michael Morton | Jamie Sharp 3.9.17 | 7.17.17 | Arbitrator ruled increase in rent was justified. Appealed to Superior Court. Superior Court reversed arbitrator decision. Appealed to Supreme Court who reversed Superior Court decision and ruled in favor of arbitrator. Rent increase is approved. | CLOSED |
| | | | | | | | |
| Fred Neil Etal vs. Wild Meadows MHC, LLC Docket #10-2017 | Wild Meadows MHC, LLC | 12.18.17 | Fred Neil/Wild Meadows HOA (Combined) Chk #1172 \$250 Michael Morton Chk # 24445 \$250 | R. Gibbs | 3.15.18 | Arbitrator waiting on a ruling from Superior court on the Sandhill Acres Case before making his decision. 7/8/19 Still pending awaiting Sandhill Acres ruling. | PENDING |

2018 ARBITRATION COSTS AS OF 7/15/19

| Community | Arbitrator | Arbitrator Charge | Total | Resolution | Status |
|--|--------------|---------------------------------|-------------------|---|---------|
| Wild Meadows HOA vs. RHP Properties/Wild Meadows LLC Docket 07-2018 | Dave Weidman | Atty: \$6,546.75 Minus \$500 | \$6,046.75 | Arbitrator waiting on ruling from Superior Court on Sandhill Acres case before making his decision. 7/8/19 Still waiting for Sandhill Acres ruling. | PENDING |

TOTAL AS OF 5/22/19 \$32,539.92

2017 ARBITRATION COSTS AS OF 7/10/19

| Community | Arbitrator | Arbitrator Charge | Total | Resolution | Status |
|---|-------------|--|-------------|--|---------|
| Sandhill Acres Docket 04-2017 | Jamie Sharp | Attorney: \$4,689.25 Minus \$500 - 500.00 | \$4,189.25 | Arbitrator ruled increase was justified. Appealed to Superior Court. Superior Court reversed arbitrator decision. Appealed to Supreme Court who reversed Superior Court decision and ruled in favor of arbitrator. Rent increase approved. | CLOSED |
| Fred Neil Etal vs. Wild Meadows MHC, LLC Docket 10-2017 | R. Gibbs | Atty/Rptr: \$20,067.05 Minus \$500 | \$19,567.05 | Arbitrator waiting on ruling from Superior court on Sandhill Acres Case before making his decision. 7/8/19 Still pending awaiting Sandhill Acres ruling. | PENDING |

TOTAL \$71,596.06

WHITE OAK MOBILE HOME PARK RELOCATION BENEFITS AS OF 7/17/19

| | Type of Benefit | Amount Allowed | Amount Approved | Ratified/ Board Approved | Mover | Moved To | Date of Letter Request to Div. of Rev. | Date Paid | Amt. Paid | Check No. |
|------------------|-----------------|----------------|-----------------|--------------------------------|-------------------|----------|--|-----------|------------|-----------|
| Fullmore, Sherry | Abandonment | \$1,500 | \$1,500 | 2/26/2019 | N/A | N/A | 2/21/2019 | 2/28/2019 | \$1,500 | 1574343 |
| Lot #1 | Demolition | \$3,000 | \$3,000 | 4/9/2019 | Phillips Services | N/A | | | | |
| Tinley, Grace | Non-Relocatable | \$4,200 | \$ 2,725.85 | 4/9/19 | N/A | N/A | 4/10/2019 | 5/23/2019 | \$2,725.85 | 1608855 |
| Lot #12 | Demolition | \$3,000 | | | Phillips Services | N/A | | | | |

Note: Lots 1 & 12 Have Not Been Demolished Yet

STATUS OF PARKS FOR SALE

LEISURE POINT RESORT – ROFO LETTER FROM DEMHRA SENT 7/17/19. THERE IS NO HOA.

LYNCH'S MHP – ROFO LETTER FROM DEMHRA SENT 6/3/19. There is no HOA.

VANESSA MOBILE HOME - WAITING TO CLOSE ON THE PARK PER A 5/13/19 EMAIL FROM MICHAEL MIRSKI, TCC MANAGEMENT. WILL LET US KNOW WHEN SOLD

STATUS OF CHANGE IN USE OF LAND

WHITE OAK MHP

CLOSED 6/27/19 –KEY PROPERTIES REQUESTING DEMO PAYMENT FOR LOTS #1 AND #12. BOTH HAVE NOT YET BEEN DEMOLISHED

STATUS OF PARKS CLOSING

None

PARKS BOUGHT BY HOA'S

MINQUADALE

TIMBER ACRES



David C. Hutt
302.856.0018
dhutt@morrisjames.com

July 11, 2019

OVERNIGHT SERVICE WITH SIGNATURE RECEIPT

Delaware Manufactured Home Relocation Authority
110 N. Main Street, Suite F
Camden, Delaware 19934

Delaware Manufactured Home Owners Association
24832 John Williams Highway, Unit 1, PMB #5
Millsboro, Delaware 19966

Delaware Department of Justice
Consumer Protection Division
Carvel State Office Building
820 North French Street
Wilmington, DE 19801

**RE: 25 Del. C. § 7026 Right of First Offer Notice Required Before Sale (“Notice”)
Community: Leisure Point Resort
Owner: Pine Acres, Inc.**

To Whom It May Concern:

Pine Acres, Inc. (the “Seller”), the owner of Leisure Point Resort (the “Community”), has decided to sell the Community. The sale will include the property described as follows:

ALL those certain parcels of land located in Indian River Hundred, Sussex County and the State of Delaware, known as “Leisure Point Resort,” said to contain a total of approximately 66.00 +/- acres of land, with manufactured home sites, recreational vehicle sites and marina slips, more particularly identified as Sussex County Tax Parcel Nos. 234-24.00-38.00, 234-24.00-39.02, and 234-24.00-39.06, together with (i) any and all of the Seller’s improvements located on the aforementioned parcels, including wells, septic systems, pump houses, and any other utility systems, (ii) all right, title, and interest of the Seller in and to the bed of any public or private street, road, or highway (open or proposed) in front of adjoining or servicing the aforementioned parcels, (iii) all right, title, and interest of the Seller in and to any and all appurtenances, rights, privileges, rights-of-way, and easements benefitting or pertaining to the aforementioned parcels, (iv) Seller’s leasehold right in and to certain subaqueous lands appurtenant to the aforementioned parcels, (v) title to any manufactured homes which might be owned by the Seller and located within Community, (vi) Seller’s 2.73% membership interest in Long Neck Water Company, a Delaware

Leisure Point Resort Notice
Page 2

limited liability company, and (vii) any and all of the Seller's rights and interest in tenant leases, security deposits, promissory notes, assignable leases, permits, and other government approved/issued rights or entitlements, assignable service contracts, and the name Leisure Point Resort, all of which are hereinafter referred to collectively as the "Property."

The Property is offered for sale for the sum of Forty-Four Million Five Hundred Thousand Dollars (\$44,500,000.00).

All significant and material information, including operating expenses and other relevant operating and capital expenditure costs related to the Community, will be provided to any tenant/resident of Leisure Point Resort, who is a representative or member of any Leisure Point Home Owners Association registered with the Delaware Manufactured Housing Relocation Authority, upon request, provided that such information shall remain confidential and may not be released to any individual not a signer to the Confidentiality Agreement attached to this Notice as Exhibit "A." The Confidentiality Agreement must be signed by any individual seeking to receive or utilize the confidential information and sent by overnight service with signature receipt to the Community owner's legal counsel, David C. Hutt, Esquire, at the address on the letterhead.

After a signed Confidentiality Agreement is received by the Community owner's legal counsel, the Community owner will send by overnight service, with signature receipt, the price and any special conditions material to the transaction for the sale and all significant and material information, including operating expenses and other relevant operating and capital expenditure costs related to the Community.

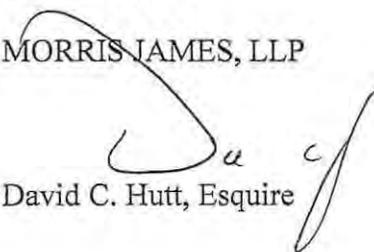
The Home Owners Association representing the tenants/residents of the Community has thirty (30) calendar days from the date of mailing of this Notice of right of first offer (August 12, 2019) to respond to the offer.

A list of the known names and mailing address of all manufactured home owners in the Community is attached hereto.

All correspondence regarding this Right of First Offer should be addressed to the undersigned attorney, as counsel for the Seller.

Very truly yours,

MORRIS JAMES, LLP


David C. Hutt, Esquire

Enclosures: Confidentiality Agreement
List of Home Owners
cc: Pine Acres, Inc.

From: DEMHRA
Sent: Thursday, June 20, 2019 3:25 PM
To: DEMHRA Chair; William Dunn; Andy Strine; Meldrum, George B.; jill Fuchs; William Denman; Daly, Daniel (DOJ)
Cc: Jane
Subject: FW: HB 46 with House Amendment 1

This attachment was forwarded to me today. There appears to be more questions than answers in this document. It probably won't be enacted for another six months.

Since we are not having a meeting in August, I recommend that the Board hold a Retreat in August to discuss the past year in review and the upcoming year to address the following: the role of the new Ombudsman; the Audit from RF Book (Jessica Main); HB 45 and 46; Timber Acres and Minquadale; possible changes to the monthly assessment; increasing the amount allowed to move single and double wides; clarification of certificate of occupancy requirements; and updating the policies and procedures.

I propose that we hold the Retreat offsite at the Rehoboth Beach Convention Center and invite our stakeholders from the DOJ, Division of Revenue, Falcidian, Delaware State Housing Authority; a representative from CLASI; Legislative Attorney, Debbie Gottschalk; DMHOA; First State Manufactured Housing Association; Michael Morton; Jerry Heisler; Representative Ruth Briggs King and Representative John Kowalko. If you like, I could draft an agenda for this Retreat for the Board to review.

I further recommend that we make this Retreat a yearly event in August.

Sent from Mail for Windows 10
Gregory Sutton
Executive Director
Delaware Manufactured Home Relocation Authority
110 N. Main Street
Camden, DE 19934
Office; 302-674-7768
Fax: 302-674-7769

The information contained in this e-mail message is intended for the personal and confidential use of the above-named recipient(s). This message may be privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that you have received this notification in error and that any review, dissemination, distribution, copying, or the taking of any action in reliance upon the contents of this message is strictly prohibited. If you have received this communication in error, please notify the sender immediately and delete this e-mail and the original message.

From: Gottschalk, Deborah I (LegHall)
Sent: Thursday, June 20, 2019 2:42 PM
To: FRED Neil; Hugg, Jacqueline (LegHall)

Cc: jwhitelaw@declasi.org; williamkinnick; Gregory Sutton
Subject: RE: HB 46 with House Amendment 1

Fred,

1. HB 46 takes effect on December 11, 2019 per Section 6 of HB 46: If House Bill No. 45 has passed both chambers by July 1, 2019, and is enacted into law, Section 3 and Section 4 of this Act take effect 1 day after House Bill No. 45 takes effect and Section 1 and Section 2 do not take effect. HB 45 takes effect 180 days after enactment, which will be December 10, 2019. Thus, the first time the changes to the amount the landlord pay and how the tenant portion is directed is with the payments made in January 2020.

This is further clarified in SB 156. I checked with the Delaware Code editor to confirm the effective date when I was drafting it so that the date is accurate. Thus, lines 266 – 269 of SB 156 read -

266 ~~b. c.~~ Beginning on December 11, 2019, the landlord portion of
267 ~~\$0.50~~ credited 50 cents for each rented lot.
268 ~~e. d.~~ Beginning on December 11, 2019, 50 cents of the tenant port
269 rented lot is redirected to the Delaware Manufactured Home Owner Attorne

2. The ability of DEMHRA to adjust the relocation trust fund fee is unchanged.

Debbie

Deborah I. Gottschalk, Esq.
Legislative Attorney
Division of Research
[\(302\) 744-4289](tel:3027444289)
deborah.gottschalk@delaware.gov

From: FRED Neil <fredneilbooks@comcast.net>
Sent: Thursday, June 20, 2019 2:30 PM
To: Gottschalk, Deborah I (LegHall) <Deborah.Gottschalk@delaware.gov>; Hugg, Jacqueline (LegHall) <Jaci.Hugg@delaware.gov>
Cc: jwhitelaw@declasi.org; williamkinnick <williamkinnick@verizon.net>; Gregory Sutton <demhra@gmail.com>
Subject: RE: HB 46 with House Amendment 1

Debbie,

The first question was, the BILL take affect when the Governor signs it, or after he signs and and the DEMHRA drops the fee? Or was that removed from the final Bill?

The second questions was answered,. DEMHRA still has the right to increase the fee as necessary meet its obligations.

Fred

On June 20, 2019 at 2:20 PM "Gottschalk, Deborah I (LegHall)" <Deborah.Gottschalk@delaware.gov> wrote:

I think I'm missing the original question, but will attempt to be helpful with some information I have.

After HB 46 passed the House, I received questions about the wording from the Department of Finance. Attached is the explanation of how HB 46 will operate, which I hope answers your question. DEMHRA can continue to adjust the fee for the relocation fund, but will need to factor in that the actual amount received will be \$1 less than the amount they set, because the landlords don't pay 50 cents and 50 cents of the tenant portion goes to the attorney fund.

The Department asked that the language be clarified to use terms in the manner that is used in accounting. Instead of refund, credit is the term they prefer to explain what happens with the landlord's 50 cents. Because the technical corrections bill had not been released, the requested clarification is included on pages 9 – 10 of SB 156, also attached. John Whitelaw reviewed this change before it was released. I hope that this revision provides the clarity you are requesting.

Debbie

Deborah I. Gottschalk, Esq.
Legislative Attorney
Division of Research
(302) 744-4289
deborah.gottschalk@delaware.gov

From: FRED Neil <fredneilbooks@comcast.net>
Sent: Thursday, June 20, 2019 2:01 PM
To: Hugg, Jacqueline (LegHall) <Jaci.Hugg@delaware.gov>
Cc: Gottschalk, Deborah I (LegHall) <Deborah.Gottschalk@delaware.gov>; jwhitelaw@declasi.org; williamkinnick <williamkinnick@verizon.net>; Gregory Sutton <demhra@gmail.com>
Subject: HB 46 weith House Amendment 1

Jaci,

Thank Senator Ennis for keeping me informed. Since we have a Bill Signing on June 25th, HB 46 obviously passed the House as amended.

It raises several questions?

It is my understanding the DEMHRA Board must drop the monthly fee at least to \$4, per month split between Landlord and Home Owners, with \$.50 added to home owners for the legal trust fund.

DEMHRA has the right to drop the fee to \$1.50 each plus the \$.50 to home owners.

Thus DEMHRA must take action for the fund to be established?

DEMHRA also has the right to increase their fund if there is a need to do so? How does this affected HB 46 funding?

I have added both honored counselors of the Bar to consider this question and Mr, Gregory Sutton, whose organization will be effected by the this Bill.

Fred

P.S. I had lunch today with Dave at the Kent Economic Partnership luncheon. He said that you have him on diet that required him to eat weeds this week. I am attesting that he was very good and did eat his weed sandwich for lunch with no extras.

The rest of you on this CC, please ignore the P.S.



SPONSOR: Rep. Kowalko & Rep. K. Williams & Sen. Ennis
Reps. Baumbach, Carson; Sen. Walsh

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 46
AS AMENDED BY
HOUSE AMENDMENT NO. 2
AND
HOUSE AMENDMENT NO. 4
AND
SENATE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO A DELAWARE MANUFACTURED HOME OWNER ATTORNEY FUND.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 7012, Title 25 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7012. Delaware Manufactured Home Relocation Trust Fund.

(a) The Delaware Manufactured Home Relocation Trust Fund (~~Trust Fund~~) ("Trust Fund") is established in the Division of Revenue of the Department of Finance for exclusive use by the Delaware Manufactured Home Relocation Authority to fund the Authority's administration and operations. All interest earned from the investment or deposit of moneys in the Trust Fund must be deposited into the Trust Fund.

(b) Moneys in the Trust Fund may be expended ~~only~~ for only the following purposes:

(1) To pay the administrative costs of the ~~Authority~~; Authority.

(2) To carry out the objectives of the Authority by assisting manufactured home owners who are tenants in a manufactured home community where the community owner intends to change the use of all or part of the land on which the community is located or where the community owner intends to convert the manufactured home community to a manufactured home condominium community or to a manufactured home cooperative community pursuant to Chapter 71 of this title, and by assisting manufactured home community owners with the removal ~~and/or disposal~~ or disposal, or both, of nonrelocatable or abandoned manufactured ~~homes; and~~ homes.

(3) To carry out the Authority's responsibilities under this chapter.

(4) To fund the Delaware Manufactured Home Owner Attorney Fund under § 7028 of this title.

(~~3~~) (c) After notifying the manufactured home owners who are tenants in a community owner's manufactured home community that the community owner intends to change the land use or to convert the community ~~pursuant to~~ under paragraph (b)(2) of this section, if the community owner does not change the land use or convert the community within 3

years of notification, or if the Authority finds there is prima facie evidence under § 7010(c)(2) of this title that the owner did not intend in good faith to change land use, the community owner ~~shall~~ shall, within 30 days of the date the Authority provides written notice to the community owner, reimburse the Authority for whatever moneys the Authority has expended from the Trust Fund with respect to that manufactured home community, along with double the legal interest rate. The date of the mailing of notice by the Authority is deemed the date that a community owner is notified about reimbursing the Authority. However, if the community owner, with due diligence, has not been able to complete the change-in-use process within 3 years, the Authority may grant a reasonable extension to the community owner to complete the process.

~~(e)~~ (d) The Trust Fund terminates on July 1, 2024, unless terminated sooner or extended by the General Assembly.

~~(d)~~ (e) The cap on the Trust Fund is \$15 million. The cap may be adjusted, ~~eliminated~~ eliminated, or reinstated by the ~~board of directors of the Authority~~ Board at any time, subject to the voting requirements ~~of~~ under § 7011(c)(3) of this title.

~~(e)~~ (f) If the Trust Fund ceases to exist, the funds held at the time of dissolution must be liquidated as follows:

(1) Fifty percent of the total funds, on a per capita basis, to tenants of rented lots in manufactured home communities in Delaware who have occupied the lots for at least the 12 months immediately prior to the time of the ~~dissolution; and~~ dissolution.

(2) Fifty percent of the total funds to landlords owning rented lots at the time of dissolution, prorated on the number of lots actually rented by the landlords for at least the 12 months immediately prior to the time of dissolution.

~~(f)(1)~~ (g)(1)a. The ~~board of directors of the Authority~~ Board shall set a ~~\$3.00~~ monthly assessment for deposit in the Trust Fund for each rented lot in a manufactured home community and the initial amount of the assessment is \$3.00. The ~~board~~ Board may adjust, ~~eliminate~~ eliminate, or reinstate the assessment, and shall notify landlords and tenants of each adjustment, ~~elimination~~ elimination, or reinstatement ~~pursuant to board~~ under Board regulations.

b. Beginning on [the effective date of this Act], the landlord portion of the monthly assessment is reduced by \$0.50 for each rented lot.

c. Beginning on [the effective date of this Act], 50 cents of the tenant portion of the monthly assessment for each rented lot is redirected to the Delaware Manufactured Home Owner Attorney Fund under § 7028 of this title.

~~(2) One half of the monthly assessment set pursuant to paragraph (f)(1) of this section is the obligation of the tenant of rented lot, and 1/2 of the assessment is the obligation of the landlord.~~

a. The monthly assessment set under paragraph (g)(1) of this section must be paid as follows:

1. One half of the portion of the monthly assessment under paragraph (g)(1)a. and the \$0.50 under paragraph (g)(1)c. is the obligation of the tenant of the rented lot.

2. One half of the portion of the monthly assessment under paragraph (g)(1)a., after the \$0.50 reduction under paragraph (g)(1)b., is the obligation of the landlord.

b. The landlord shall collect the tenant's portion of the assessment on a monthly basis as additional rent. The landlord shall remit to the Trust Fund both its portion and the tenant's portion of the assessment on a quarterly basis. The landlord is responsible for safeguarding all assessments it collects. Failure by a tenant to pay to the landlord the tenant's portion of the assessment as additional rent is grounds for termination of the rental agreement ~~pursuant to~~ under § 7010A of this title. An assessment is not due or collectable for a vacant lot.

(3) If a lot is rented for any portion of a month, the full monthly assessment must be paid to the Trust Fund.

(4) If a rental agreement contains a capping provision which limits the amount by which rent may be increased, the Trust Fund assessment is deemed not to be rent for purposes of rent increases.

(5)a. If within 30 days of the quarterly due date a landlord fails to remit to the Trust Fund both its portion and the tenant's portion of the assessment, the Authority ~~may, but shall not be required to,~~ may notify the landlord in writing, demanding payment and stating that, unless the required payment is made within 7 days from the date of mailing, legal action may be initiated ~~in a court of competent jurisdiction~~ to collect any assessment, interest, at the rate of 1% per month until paid in full, or other sums due and owing. Any written notice must comply with § 7024 of this title. If the Authority is awarded a judgment in its favor, the Authority may request and the court shall award reasonable attorney's fees, costs, and expenses. Failure by the Authority to provide ~~such the~~ the notice ~~described herein shall not be~~ under this paragraph (g)(5)a. of this section is not prejudicial to the Authority's right to pursue such cause of action.

b. A landlord may assert as an affirmative defense to legal action initiated ~~pursuant to paragraph (f)(5)a. under paragraph (g)(5)a.~~ under paragraph (g)(5)a. of this section ~~above~~ that a tenant has failed to pay its portion of the ~~assessment; there shall be~~ assessment. There is a rebuttable presumption that the tenant has paid its required assessment ~~amount; amount~~ amount in full.

~~(g)~~ (h) The Authority may not for any reason, including age, income ~~level~~ level, or geography, exempt any landlord or tenant from paying the Trust Fund assessment.

~~(h)~~ (i) The Trust Fund must be audited annually. If the State Auditor's Office performs the audit, the Authority shall pay the cost of the audit to the State from the Trust Fund ~~and the cost of the audit.~~ Fund. The completed audit must be made available to the public by placing it on a website, by offering it as a hard copy for a fee which reflects reasonable reproduction cost, or in some other manner determined by the Authority.

~~(i)~~ (j) In addition to providing for an annual audit ~~pursuant to subsection (h)~~ under subsection (i) of this section, the Authority shall make available to the public, at least on a quarterly basis, the amount of the payment made to each tenant and landlord, along with a description of the property related to the payment and the reason for the payment.

(k) If the Delaware Manufactured Home Owner Attorney Fund ceases to exist, the funds held at the time of dissolution must be liquidated on a per capita basis to tenants of rented lots in manufactured home communities in Delaware who have occupied the lots for at least the 12 months immediately before the time of the dissolution.

Section 2. Amend Subchapter I, Chapter 70, Title 25 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7028. Delaware Manufactured Home Owner Attorney Fund.

(a) The Delaware Manufactured Home Owner Attorney Fund is established through funding provided under § 7012 of this title to provide legal representation and advocacy for manufactured home owners in disputes with community owners.

(b) The Department of Justice must enter into a contract, under the requirements of Subchapter VI, Chapter 69 of Title 29, for a person to assist and represent manufactured home owners in disputes with community owners with matters that include all of the following:

(1) Providing educational materials and presentations for manufactured home owners on their rights as manufactured home owners.

(2) Forming a home owners association.

(3) Defending an eviction.

(4) Enforcing a breach of a lease agreement by a community owner.

(5) Remedying the failure of a community owner to maintain communities in a manner consistent with local, state, and federal health and safety rules, regulations, and laws.

(6) Challenging a potentially unenforceable term in a lease agreement.

(7) Challenging a potentially unenforceable community rule.

(8) Challenging a rent increase under Subchapter III of this chapter, if all of the following apply:

a. The proposed rent increase is 3% or higher plus the CPI-U as defined in § 7042 of this title.

b. The challenge is requested by either of the following:

1. The homeowners association that represents 25% or more of the homeowners.

2. A simple majority or more of the homeowners who received notice of the proposed rent increase under § 7043 of this title, calculated based on 1 vote for each home that received notice.

(c) Not less than quarterly, the Authority shall issue a voucher to the Division of Revenue directing the Division of Revenue to issue a check to the Department of Justice in the amount of the assessments collected under § 7012(g)(1)c. of this title.

(d) The Department of Justice shall file an annual report with the General Assembly October 1 of each year that shall provide all of the following information as of the end of the prior fiscal year:

(1) The amount in the Attorney Fund.

(2) The amount that was spent in the previous year.

(3) The number of cases the contracted attorney worked on in the previous year.

(4) The number of manufactured home owners who were represented by the contracted attorney in the previous year.

Section 3. Amend § 7042, Title 25 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7042. Delaware Manufactured Home Relocation Trust Fund.

(a) The Delaware Manufactured Home Relocation Trust Fund ("Trust Fund") is established in the Division of Revenue of the Department of Finance for exclusive use by the Delaware Manufactured Home Relocation Authority to fund the Authority's administration and operations. All interest earned from the investment or deposit of moneys in the Trust Fund must be deposited into the Trust Fund.

(b) Moneys in the Trust Fund may be expended for only the following purposes:

(4) To fund the Delaware Manufactured Home Owner Attorney Fund under § 7046 of this title.

(f) If the Trust Fund ceases to exist, the funds held at the time of dissolution must be liquidated as follows:

(1) Fifty percent of the total funds, on a per capita basis, to tenants of rented lots in manufactured home communities in Delaware who have occupied the lots for at least the 12 months immediately prior to the time of the dissolution.

(2) Fifty percent of the total funds to landlords owning rented lots at the time of dissolution, prorated on the number of lots actually rented by the landlords for at least the 12 months immediately prior to the time of dissolution.

(g)(1)a. The Board shall set a ~~\$3.00~~ monthly assessment for deposit in the Trust Fund for each rented lot in a manufactured home community and the initial amount of the assessment is \$3.00. The Board may adjust, eliminate, or reinstate the assessment, and shall notify landlords and tenants of each adjustment, elimination, or reinstatement under Board regulations.

b. Beginning on [the effective date of this Act], the landlord portion of the monthly assessment is reduced by \$0.50 for each rented lot.

c. Beginning on [the effective date of this Act], 50 cents of the tenant portion of the monthly assessment for each rented lot is redirected to the Delaware Manufactured Home Owner Attorney Fund under § 7046 of this title.

(2) ~~One half of the monthly assessment set under paragraph (g)(1) of this section is the obligation of the tenant of rented lot, and 1/2 of the assessment is the obligation of the landlord.~~

a. The monthly assessment set under paragraph (g)(1) of this section must be paid as follows:

1. One half of the portion of the monthly assessment under paragraph (g)(1)a. and the \$0.50 under paragraph (g)(1)c. is the obligation of the tenant of the rented lot.

2. One half of the portion of the monthly assessment under paragraph (g)(1)a., after the \$0.50 reduction under paragraph (g)(1)b., is the obligation of the landlord.

b. The landlord shall collect the tenant's portion of the ~~assessment~~ assessments under this section on a monthly basis as additional rent. The landlord shall remit to the Trust Fund both its portion and the tenant's portion of the ~~assessment~~ assessments on a quarterly basis. The landlord is responsible for safeguarding all assessments it collects. Failure by a tenant to pay to the landlord the tenant's portion of the assessment as additional rent is grounds for termination of the rental agreement under § 7016 of this title. An assessment is not due or collectable for a vacant lot.

(5)a. If within 30 days of the quarterly due date a landlord fails to remit to the Trust Fund both its portion and the tenant's portion of the assessment, the Authority may notify the landlord in writing, demanding payment and stating that, unless the required payment is made within 7 days from the date of mailing, legal action may be initiated to collect any assessment, interest, at the rate of 1% per month until paid in full, or other sums due and owing. Any written notice must comply with § 7015 of this title. If the Authority is awarded a judgment in its favor, the Authority may request and the court shall award reasonable attorney's fees, costs, and expenses. Failure by the Authority to provide ~~such the notice described herein shall not be~~ under this paragraph (g)(5)a. of this section is not prejudicial to the Authority's right to pursue such cause of action.

b. A landlord may assert as an affirmative defense to legal action initiated under paragraph (g)(5)a. of this section ~~above~~ that a tenant has failed to pay its portion of the ~~assessment; there shall be~~ assessment. There is a rebuttable presumption that the tenant has paid its required assessment ~~amount, amount~~ in full.

(k) If the Delaware Manufactured Home Owner Attorney Fund ceases to exist, the funds held at the time of dissolution must be liquidated on a per capita basis to tenants of rented lots in manufactured home communities in Delaware who have occupied the lots for at least the 12 months immediately before the time of the dissolution.

Section 4. Amend Subchapter V, Chapter 70, Title 25 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7046. Delaware Manufactured Home Owner Attorney Fund.

(a) The Delaware Manufactured Home Owner Attorney Fund is established through funding provided under § 7042 of this title to provide legal representation and advocacy for manufactured home owners in disputes with community owners.

(b) The Department of Justice must enter into a contract, under the requirements of Subchapter VI, Chapter 69 of Title 29, for a person to assist and represent manufactured home owners in disputes with community owners with matters that include all of the following:

(1) Providing educational materials and presentations for manufactured home owners on their rights as manufactured home owners.

(2) Forming a home owners association.

(3) Defending an eviction.

(4) Enforcing a breach of a lease agreement by a community owner.

(5) Remediating the failure of a community owner to maintain communities in a manner consistent with local, state, and federal health and safety rules, regulations, and laws.

(6) Challenging a potentially unenforceable term in a lease agreement.

(7) Challenging a potentially unenforceable community rule.

(8) Challenging a rent increase under Subchapter III of this chapter, if all of the following apply:

a. The proposed rent increase is 3% or higher plus the CPI-U as defined in § 7052 of this title..

b. The challenge is requested by either of the following:

1. The homeowners association that represents 25% or more of the homeowners.

2. A simple majority or more of the homeowners who received notice of the proposed rent increase under § 7043 of this title, calculated based on 1 vote for each home that received notice. (c) Not less than quarterly, the Authority shall issue a voucher to the Division of Revenue directing the Division of Revenue to issue a check to the Department of Justice in the amount of the assessments collected under § 7042(g)(1)c. of this title.

(d) The Department of Justice shall file an annual report with the General Assembly October 1 of each year that shall provide all of the following information as of the end of the prior fiscal year:

(1) The amount in the Attorney Fund.

(2) The amount that was spent in the previous year.

(3) The number of cases the contracted attorney worked on in the previous year.

(4) The number of manufactured home owners who were represented by the contracted attorney in the previous year.

Section 5. If House Bill No. 45 has not passed both chambers by July 1, 2019, Section 1 and Section 2 of this Act take effect August 1, 2019, and Section 3 and Section 4 do not take effect.

Section 6. If House Bill No. 45 has passed both chambers by July 1, 2019, and is enacted into law, Section 3 and Section 4 of this Act take effect 1 day after House Bill No. 45 takes effect and Section 1 and Section 2 do not take effect.

Section 7. If House Bill No. 45 has passed both chambers by July 1, 2019, but is not enacted into law, Section 1 and Section 2 of this Act take effect November 1, 2019, and Section 3 and Section 4 do not take effect.

| ACTION ITEM NO. | DESCRIPTION | ACTION REQUIRED | ASSIGNED TO FOR ACTION | ACTION TAKEN | STATUS |
|-----------------|---|---|------------------------|---|--|
| 02-2018 | 6/5/18 Minquadale paying assessments and may not be required to since they own the community. 7/30/18 Minquadale reimbursement if not required to pay assessment fees | Clarify if they should be paying assessment fees. Inquire if Minquadale wishes to be reimbursed for paying into the Trust Fund since they were purchased by the residents | Mr. Carroll | Awaiting DOJ Opinion. Letter from Sen. McBride & Rep. Cooke. | Mr. Carroll will prepare draft letter correcting the record that DEMHRA has not take any position. |
| 16-2018 | 9/25/18 | Appointment Letters for Mr. Meldrum and Mr. Daly | Meldrum and Daly | Awaiting to hear from appointing authorities | |
| 04-2019 | Wild Meadows 07-2018 | Reach out to arbitrator for update | G. Sutton | 1/24/19 Arbitration stayed. Awaiting more information on another Superior Court ruling affecting this case. Will reschedule if necessary. 5/13/19 Still awaiting SC ruling. | Superior Court ruled on Sandhill Acres; decision on this docket is pending |
| 15-2019 | Wild Meadows 10-2017 | Status of Arbitration | G. Sutton | HOA appealed decision to Superior Court. Provided SC with a record of proceedings. Awaiting decision from SC | Same as 04-2019 above |
| 17-2019 | Payment to movers. Additional information sheet from property owners to tenants with initial letter when changing the use of land. | Procedures for paying movers; request C.O. before payment. 1. List of movers 2. HVAC components 3. Oil and gas tanks 4. Sheds 5. Mover's allowance | A. Strine | Discuss at 6/4//19 Board Meeting | |

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|----------------|--|--|--------------|--|--|
| 19-2019 | Additional information sheet from property owners to tenants with initial letter when changing the use of land | This sheet should include: 1. List of Movers 2. HVAC Components 3. Oil and Gas Tanks 4. Sheds | A. Strine | Mr. Strine will develop a checklist to present to the Board. | |
| 22-2019 | Timber Acres & Minquadale | Send all pertinent documentation to K. Carroll | G. Sutton | Discussed at 6/4/19 Board Awaiting further action(s) | |
| 24-2019 | Homeowner's Checklist for Relocation Plan | Give copy to NCC & Sussex Counties. Put on DEMHRA Website. Include in Road Show Presentation. | G. Sutton | Discuss at next Meeting | |
| 25-2019 | B. Denman Replacement | Inform the Board of plan for B. Denman's replacement. | B. Denman | Discuss at 7/23/19 Board Meeting | |
| 26-2019 | Policy for paying movers | Clarify Certificate of Occupancy and when movers should be paid | G. Sutton | To be discuss at next meeting | |
| 27-2019 | Delinquent Accounts | Finalize procedure to report to the Board | G. Sutton | Process defined at 6/4/19 Board Meeting and will be followed going forward | |
| 29-2019 | Glasgow Court | Recoup Trust Fund Money as Glasgow Court has passed the 3-year period to comply with getting permits for change in use of land | DEMhRA Board | Develop a plan to recoup money | |