

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY

**1979 S. State St.
Dover, DE 19901**

Pursuant to 29 Del. Code 10004, the Board of Directors of the Delaware Manufactured Home Relocation Authority convened a meeting on **February 10, 2022**, commencing at **1:30 P.M.** at 1979 S. State Street, Dover, Delaware 19901.

Minutes of February 10, 2022 Board Meeting

IN-ATTENDANCE:

Authority:	Mitch Crane George Meldrum William Dunn Richard Hrycyshyn (Via Zoom) Pat Malone (Non-Voting Member) Gregg Sutton (Executive Director) Lorraine Hrycyshyn (DEMHRA Office Assistant)
Legal Counsel:	Melissa Rhoads
Other:	William Kinnick, DMHOA
Via Zoom:	Jen Allen, Donna Bartman, Helen Burke, Keith Fake, Nicole Faries, Linda Galloway, Margaret Hymerling-Bates, Shawn Jacobs, Jamie and Rie Kiminski, Kevin Reinike, Dennis Rushton, Jr., Chris Sweeney, Kim Sweitzer, and Representative Madinah Wilson-Anton.

I. Call to Order:

Mr. Crane called the hybrid Zoom meeting to order at 1:37 p.m.

II. Review and Approval of Minutes:

An error was discovered by Mr. Strine on page 6 under Pine Point Park applications for Relocation Benefits (Lot #1, Francis Carden). The benefit amount was incorrectly listed as \$25,000 and should have been \$16,000. It was subsequently corrected prior to the minutes being posted on the DEMHRA website. A motion was made and seconded to approve the December 16, 2021, minutes with the suggested corrections. The motion passed 5-0.

III. Chair's Report:

- Mr. Crane spoke to State Senator Pettyjohn regarding why DEMHRA did not have State of Delaware e-mail addresses. Senator Pettyjohn had received an e-mail from Mr. Sutton and

felt that e-mails sent via the current DEMHRA g-mail account could be inadvertently deleted or sent to a spam folder since a g-mail address does not associate the sender with the State of Delaware. Mr. Crane thought this was a good idea and Mr. Sutton will look into obtaining a Delaware.gov e-mail address for DEMHRA.

IV. Executive Director's Report:

Since the last meeting on December 16, 2021, the following has occurred:

- At the Chair's request, Mr. Sutton forwarded proposed changes to Chapter 70 to Representative Madinah Wilson-Anton.
- The CPI-U has increased to 3.367% effective January 14, 2022, as calculated by the Delaware State Housing Authority.
- As of January 1, 2022 the mileage reimbursement rate is \$0.585.
- Mr. Bill Denman, DEMHRA's former legal counsel, informed Mr. Sutton that he had boxes of files he had kept during his tenure as the DEMHRA legal counsel. He wanted to know if we wanted them. Mr. Sutton notified Mr. Crane and Ms. Rhoads and it was discussed and decided that those files should be retained by our office. Mr. Sutton picked up eight (8) boxes from Mr. Denman's office and they are now located in a room that has been designated as a place where we store legal counsel files. A locksmith installed a new lock on that file room door and those files, as well as any other legal files will be kept under lock and key. All boxes in that room will be identified and labeled.

V. Legal Counsel Report:

Demand Letters Issued: County Seat Gardens (no response), Mt. Pleasant MHP (no response), Pepper Ridge: working with the Division of Revenue (DOR) to locate payment), Sandhill MHP: working with DOR to locate payment), Timber Acres (no response)

Parks Paid: Delaware City, Love Creek Park & Marina, Sweetbriar, Waterford, Winterset Farms, Big Oaks, Lakeside, Crossings at Oak Orchard

Pending in Court of Common Pleas: Lawsuits were filed for the following communities: Sussex Manor (sold, lawsuit to be rectified as part of the sale), Hartly (working with DOR), Oakway: To be placed on the next meeting agenda for discussion, Pine Haven: owner trying to locate payment

VI. Approval of Financial Matters:

A. Recent Financial Activity and Report (Information Only):

The December 2021 and January 2022 Financial Reports were reviewed and have been posted on the DEMHRA website. The Board wanted to compare the ending balance in the Trust fund on December 31, 2020 to the ending balance on December 31, 2021. Mr. Sutton told them that he did not have that information readily available but would provide it for them by the next board meeting.

B. Approval of Legal Counsel Invoices:

The Board reviewed the December invoice in the amount of \$3,270.00 and the January invoice in the amount of \$2,260.35. A motion was made and seconded to Approve both invoices. The motion passed 5-0.

C. Approval of other Invoices:

- Mary Sherlock, Docket 05-2021, Dover Air Park, in the amount of \$1,050.00.
- Jamie Sharp, Docket 03-2021, Canterbury Crossing, in the amount of \$125.00.
- David Weidman, Docket 06-2021, Willow Tree Park, in the amount of \$3,187.50.
- Robert Cahall, Docket 07-2018, Wild Meadows, in the amount of \$19,215.00.
- The Spanish Group – Translation of Documents for DEMHRA website in the amount of \$238.09.
- Jamie Sharp – Docket # 03-2021, Canterbury Crossing, in the amount of \$4,910.00.

A motion was made and seconded to approve the above invoices collectively. The motion passed 5-0.

VII. Reports:**A. Compliance Matters (Executive Director):****1. Compliance Investigator Report:**

A compliance investigator was sent to Kentwood Estates MHP as there was a difference of over 100 lots on the community owner registration form that the owner submitted. There was still a discrepancy of over 20 lots after the audit. Mr. Sutton will personally audit the community.

2. Delinquent Parks Report:

The process of how DEMHRA contacts communities regarding delinquent Trust Fund Assessment payments was discussed by Mr. Sutton. Mr. Sutton will personally follow-up on communities that appear on the DOR report before referral for legal action. To minimize errors in the completion of the MHR Tax Form, Mr. Sutton partnered with Ms. Hambleton of the DOR and a letter was sent in December to all community owners with detailed instructions and samples on how to complete the MHR-Tax form on-line.

B. Arbitration:**1. Open Dockets - Arbitration Status and Costs:****Wild Meadows HOA vs. RHP Properties/Wild Meadows MHC (Docket 07-2018):**

Arbitrator ruled in favor of the owner. This is on appeal to Superior Court.

Wild Meadows HOA vs. RHP Properties/Wild Meadows LLC (Docket 04-2019):

Hearing was held 11/2/21 and 11/3/21. Briefings are due by January 28, 2022.

Winterset Farms HOA vs. Winterset Farms MHC (Docket 01-2020):

Arbitration held via Zoom on 1/7/22. Briefs due 1/28/22 and a decision is Expected sometime in February.

Wild Meadows HOA vs. RHP Properties/Wild Meadows LLC (Docket 04-2020):

Arbitration was held December 14, 2021. As of 1/26/22, awaiting closing briefs from both parties.

Shady Park HOA vs. Shady Park MHC LLC (Docket 01-2021):

As of 1/20/22, information was requested and delivered to Superior Court.

Ridgewood Manor HOA vs Ridgewood Manor II MHC, LLC (Docket 02-2021):

On appeal to Superior Court. Reply was due by 2/7/22.

Canterbury Crossing HOA vs Canterbury Crossing MHP (Docket 03-2021):

As of 1/25/22, arbitration hearing is complete, and a decision should be received within six weeks of receipt of transcripts.

Pot Nets Lakeside HOA vs Pot Nets Communities Docket #04-2121):

As of 1/26/22, an order on a motion to compel was made regarding preventing respondent from presenting specific documents in evidence.

Dover Air Park Affected Tenants (Dave Luna) vs Dover Air Park (Docket 05-2021)

Community owner withdrew his rent increase above the CPI-U and the arbitration was dismissed.

Willow Tree Affected Tenants (Daphne Carmen) vs Willow Tree Properties (Docket 06-2021):

Arbitrator ruled in favor of the community owner.

2. Shady Park – Notice of Citation on Appeal – Requested Information delivered to Superior Court:

This was previously discussed.

VIII. Unfinished Business:

A. Right of First Offer (Sales, Closings, Change in Use of Land):

Applications for Approval – Pine Point Park:

June Fritzinger-Bliss, 4 Pine Point Park Lane, Millsboro, DE 19966

Double-wide relocation benefit in the amount of \$11,840.00

Note: This application was approved in September. The mover backed out because there was an increase in the relocation benefit. The Board voted to make the increased amount retro-active to September. The original mover was not available to move her home. She was asked to resubmit another proposal and supporting documentation which was received on 2/8/22. A motion was made and seconded to approve benefits with the increased amount. The motion passed 5-0.

Dennis & Diane Nelson, 15 Pine Point Park Lane, Millsboro, De 19966

Single-wide non-relocation benefit in the amount of \$12,000 + \$200 (Appraisal Fee)

A motion was made and seconded to approve benefits. The motion passed 5-0.

Applications for Approval - Timberlane:

Donald Sheetz, 16 Holly Tree Circle, Newark, DE 19702

Single-wide non-relocatable benefit in the amount of \$12,000 + \$200 (Appraisal Fee)

A motion was made and seconded to approve benefits. The motion passed 5-0.

Marcela Hernandez, 265 Sassafras Tree Circle, Newark, DE 19702

Abandonment payment for a single-wide in the amount of \$1,500.00

A motion was made and seconded to conditionally approve benefits pending the payment of \$24.95 in delinquent taxes. The motion passed 5-0.

Monica Jaylor-Martinez, 6 Holly Tree Circle, Newark, DE 19702

Abandonment payment for single-wide in the amount of \$1,500.00

A motion was made and seconded to approve benefits. The motion passed 5-0.

Eustorgio Balbuena, 63 Willow Tree Lane, Newark, DE 19702

Single-wide non-relocatable benefits in the amount of \$5,900.00

A motion was made and seconded to approve benefits. The motion passed 5-0.

Maria deLourdes Lopez, 65 Willow Tree Lane, Newark, DE 19702

Single-wide non-relocatable benefits in the amount of \$12,000 + \$200 (Appraisal Fee)

A motion was made and seconded to conditionally approve benefits pending payment of \$367.95 in delinquent taxes. The motion passed 5-0.

Pedro Ortega-Lugardo, 47 Persimmon Tree Drive, Newark, DE 19702

Single-wide non-relocatable benefits in the amount of \$6,200 + \$200 (Appraisal Fee)

A motion was made and seconded to approve benefits. The motion passed 5:0.

Reyes Alvarez-Macias & Prisciliana Limon-Lomeli, 97 Willow Tree Lane, Newark, DE 19702

Single-wide non-relocatable benefits in the amount of \$8,800 + \$200 (Appraisal Fee)

A motion was made and seconded to approve benefits. The motion passed 5-0.

Maria & Fernando Tapia, 44 Persimmon Tree Drive, Newark, DE 19702

Single-wide non-relocatable benefits in the amount of \$5,800 + \$200 (Appraisal Fee)

A motion was made and seconded to conditionally approve benefits pending payment of \$462.64 in delinquent taxes. The motion passed 5-0.

Jose Ocampo, 74 Cypress Tree Circle, Newark, De 19702

Single-wide non-relocatable benefits in the amount of \$8,200 + \$200 (Appraisal Fee)

A motion was made and seconded to approve benefits. The motion passed 5-0.

Efren Rodriguez, 174 Sassafras Tree Circle, Newark, DE 19702

Single-wide non-relocatable benefits in the amount of \$12,000 + \$200 (Appraisal Fee)
A motion was made and seconded to approve benefits. The motion passed 5-0.

Jennifer Boyle & David Rife, 105 Willow Tree Lane, Newark, De 19702

Single-wide non-relocatable benefits in the amount of \$9,900
A motion was made and seconded to approve benefits. The motion passed 5-0.

David & Patricia Ford, 81 Willow Tree Lane, Newark, DE 19702

Single-wide relocatable benefits in the amount of \$12,000
A motion was made and seconded to approve benefits. The motion passed 5-0.

Mary Ann Reynolds/Cheryl Chestnut, 175 Sassafras Tree Circle, Newark DE 19702

Single-wide relocatable benefits in the amount of \$12,000
A motion was made and seconded to approve benefits. The motion passed 5-0.

Theresa Nichols & Martin Nichols, 22 Persimmon Tree Drive, Newark, DE 19702

Single-wide relocatable benefits in the amount of \$12,000
A motion was made and seconded to approve benefits. The motion passed 5-0.

Parks for Sale:

- Update on Silver Oaks Trailer Park. This park still has not sold.
- Update on Up Country MHP -New owner contact information was received.
- Update on Sussex Manor – New owner contact information was received.
- Update on Driftwood Village – New owner contact information was received.
- Sussex East – ROFO Sent by HOA on January 10, 2022
- Sussex West – ROFO Sent by HOA on January 10, 2022
- Colonial Estates – Letter received February 2, 2022 from the HOA declining purchase of property.

Change in Use:

Ford's MHP – 3-month letter to be sent by March 9, 2022.

Pine Point Park:

A 3-month update letter was sent on January 28, 2022. The report outlining the status of applications was reviewed. There are about six (6) tenants who have not applied for benefits and they must vacate by April 30, 2022. Mr. Sutton was contacted by the owner about what to do with those who do not apply. If tenants do not vacate by April 30, 2022, they will be evicted. Mr. Strine suggested that the owner contact those who have not applied and let them know there is no reason to delay the application process, eliminating the eviction process.

Timberlane:

6-month letter sent on January 30, 2022. The report outlining the status of applications was reviewed. Reybold notified Mr. Sutton that they will be extending the deadline to apply for benefits.

Mr. Crane requested Mr. Sutton send a copy of the status of applications to Representative Wilson-Anton. The report was sent to her on February 11, 2022.

Paradise Cove:

This will be discussed in Executive Session.

B. Update on Mason-Dixon:

The side of the park owned by the Scott's has twelve homes and the park across the Street, on a separate tax parcel, owned by Nancy Spicer-Riley, has about thirty (30) homes. The side with the thirty (30) homes was determined to be seasonal by the previous DEMHRA Executive Director; however, when one of our compliance investigators visited that part of the park on December 5th, there were six (6) cars parked by six (6) homes. As a seasonal park, no one should have been there in December. This part of the park never registered with DEMHRA. The park that is in compliance is the one that requested to be seasonal and they have always paid into the Trust Fund.

C. Rich Hrycyshyn's Proposal for Board Meeting Schedule

Mr. Crane would like to defer this discussion until such time that Mr. Hrycyshyn is physically present at the meeting and he agreed.

IX. New Business:

A. Magna Legal Services (Arbitrators):

Mr. Sutton has been working with Magna Legal Services to try to increase the number of arbitrators. Mr. Sutton will be talking with attorneys from the Wilmington area next week.

B. Clarification on Eligibility for DOJ Legal Fund:

There were two petitions for arbitration. One was from an HOA and the other from a single individual who had two people who filed a petition. CLASI only represented one of them. Mr. Sutton researched Section 7046 A & B of Chapter 70 that indicates if a person petitions for a rent increase, 25 percent of the people in the community must be on that petition and that is why CLASI did not represent the latter of the above.

C. Payment for Arbitration Transcripts:

CLASI reached out to Mr. Sutton asking if the Board would consider paying all the fees for the transcripts. DEMHRA recently contracted with a firm that would be reasonable in price and unless anyone has an objection, there will be no further discussion. Seeing no objections, DEMHRA will not consider paying for all fees

associated with requesting transcripts.

D. Inventory of Property in DEMHRA Office:

All property belonging to DEMHRA will be inventoried and labeled numerically.

E. Appraisals for Non-relocatable Homes:

An appraisal was received recently with the appraised value being far above what it should have been, especially for a non-relocatable home. If we continue to receive appraisals that are way out of line, this could result in an increase of benefits for non-relocatable homes. After discussion, Mr. Strine suggested that pictures of the inside and outside of the home accompany the appraisals along with better data such as the manufacturer of the home, the age of the home, etc. Mr. Strine was asked to develop criteria for minimum requirements for appraisals for distribution to the appraisers.

F. Change in Land Use Notice (Paradise Cove):

This will be discussed in Executive Session.

X. Public Comments:

Mr. Kinnick had calls from thirteen (13) people who live in Paradise Cove full time and pay their own utilities, received letters from the new owner that he is going to make this part time without it being approved by the Board. Secondly, thirteen plus people live there full time so this cannot be part time. Mr. Crane stated this will be discussed at length in Executive Session. Mr. Kinnick also questioned why DMHOA is not getting the proper documentation of new ownership when a park is sold. Mr. Crane has been working with Representative Wilson-Anton regarding changing the Code.

XI. Executive Session:

With business concluded, all attendees via Zoom (except Mr. Hrycsyhyn), had to sign out. The Board met in Executive Session for the purpose of discussing legal matters with legal counsel. While in executive session, no votes were taken; therefore, the Board did not return to a public session.

XII. Next Meeting - Adjournment:

The meeting was adjourned at 2:45 p.m. The Board set the next meeting date as March 17, 2022 at 1:30 p.m.

Respectfully submitted,

Gregg Sutton
Executive Director