

MINUTES

MOBILE MANUFACTURED HOME ADVISORY COUNCIL

DECEMBER 16, 2009

The Mobile Manufactured Home Advisory Council convened at 10:13 a.m. in Room-117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Members Present:	Bennett Pudlin Ben Castonguay Leonard S. Campbell Carol DeRosa Myriam Clarkson Keith Jensen Marcia L. Stemm Mark Berkowitz Al Hricz Nancy E. Dickal	Attorney at Law, Acting Chairperson CT Real Estate Commission Member Town Planner (Appearing for Timothy Coppage, CT Housing Finance Authority Rep.) Mobile Manufactured Home Industry Rep. Park Owner Park Owner Park Owner Park Tenant Park Tenant
Member Absent:	Timothy Coppage Jennifer Ponte George Cote Michelina G. Lauzier Erwin Cohen, Ph.D	CT Housing Finance Authority Rep. DECD Representative Banking Industry Representative Park Tenant Senior Citizen
Board Vacancies:	One Representative of the Housing Advisory Committee	
DCP Staff Present:	Nelson Leon Linda Roberts	
Public Present:	Gloria Espeleta Lorraine Canderino Joanne Blum Jerry Blum Art Mazeau Deborah Gifford Joe Mike Timothy Wahl David Ibbitson	

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

Agency Website: www.ct.gov/dcp **Division E-Mail:** occprotrades@ct.gov

MINUTES OF PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of the October 21, 2009 Mobile Manufactured Home Advisory Council meeting.

REPORT FROM SUB-COMMITTEES

FINANCE COMMITTEE

Ms. DeRosa reports a man in his 80's financing a mobile home with CHFA. Also, very happy to report that her sister in-law bought a home in the Mr. Jensen's community.

APPEARING IN PERSON

1. Members of the Westchester Village Residents Association (W.V.R.A.), who live in Westchester Village, a mobile home park in Colchester, CT., requesting to appear before the Advisory Council to discuss issues of concern at the park.

In attendance at this meeting was Lorraine Conderino, President, Gloria Espeleta, Vice President, Joanne Blum, Secretary and Jerry Blum, Board Member.

Ms. Conderino reported through the years, original park owner operated the water system and then sold it to aqua source, who sold it to Birmingham utilities, which was then bought out by CT Water. Since CT water there have been fewer water complaints, increased water testing water pressure. However, with the installation of individual water meters, CT Water is claiming that under DPUC regulations, residents are responsible for water piping from the water meter to their home. The current park owner (William Dizenzo) says he is not responsible for any water issues since the water is now owned by CT Water. The question by residents is "How could home owners be responsible for something located in the land leased by the homeowners?"

Mr. Jensen said that when the water system was sold, he believes the water company owns up to the water shut-off. The agreement reflects that all the water pipes were part of the agreement, and therefore ownership of the water includes all the water piping, water mains and up to the water shut-off. Ms. Conderino said that CT water is claiming that between the meters to the house, the water company is not responsible.

The Council informed Ms. Conderino to review the water agreement and lease agreement for clarity, which may then become a legal question for the CT water company concerning where their responsibility ends.

Attorney Podolsky said there appears to be a DPUC and DCP issue concerning this matter. One question is “does the water company own the water pipe?”. If so, it becomes the water company’s responsibility, and therefore falls under DPUC. Assuming the water company owns up to one point, raises the question as to whether it becomes the land owner responsibility which makes it the responsibility of the park owner, making it a mobile home park issue under the Mobile Home Park Act. Therefore, it becomes a DCP issue.

Attorney Pudlin recommended that the residents communicate with DCP and DPUC so that this matter can be addressed in an attempt to reach a resolution, and if necessary, the residents may seek a declaratory ruling from DCP concerning this matter.

2. Several residents from RHP parks in Clinton and Westbrook will be attending the December 16, 2009 meeting to discuss issues of concern at the park.

Reported to the Council was an electrical issue wherein a resident lost electricity to the home. An electrician traced the problem to a corroded meter box where the circuit breakers are located and made an emergency temporary repair. Resident’s request to have corroded meter box replaced and reimbursement of electrician fees went ignored by park management.

Another issue reported was an underground electrical wire problem concerning an 80-year old resident who was informed by park management that she could not hire someone to do the repairs. However, after seeking permission from the CT Attorney General’s office, the resident hired an electrician to do the work which cost \$5,000.00. To date, the resident has not been reimbursed. The park leases state that all underground utility is the park owner responsibility up to the point where it enters the home. However, park management claims it is not their responsibility and residents a reluctant to complain out of concern for park management creating a threatening atmosphere, including evictions and selling of the park.

Also reported was an existing flooding problem to a resident home for past 18 years, consisting of water cascading down three sides of a home, filling the yard with water and flooding the house underneath, which can potentially wash away pilings that secure the home. Park management gave the resident drainage pipe and required the resident to dig the trench and install the drainage pipe to solve the problem. Park management then solicited a contractor who dug out a drainage whole which was not in a low line spot, so the water fills out and cascades in the low line spot and does not run off the property. To date, with rent increases within the past 3-years, the flooding problem has not been resolved.

Another issue reported concerns two neighbors who are sharing a failed septic system that haws not been resolved, in addition to inadequate and grossly neglected leaching fields that smell horrible all summer long, neglected trees that pose a danger to residents and their homes, which park management continues to ignore.

Attorney Pudlin suggested that a written complaint concerning their issues and concerns be filed with DCP for investigation.

In addition, Attorney Pudlin recommended visiting the DCP website to find out about Mobile Manufactured Home Laws and Regulations, Rights & Responsibilities of Residents of Mobile Home Communities in CT, Fact Sheet for Purchasers of Manufactured Homes, etc..

COMPLAINT STATUS REPORT

Attorney Pudlin reported being in contact with DCP Trade Enforcement Division Director, Richard Maloney, who said he is working on a more comprehensive complaint report for the Council's review.

There being no further business, the meeting adjourned at 12:16 p.m.

Respectfully submitted,

Nelson Leon
Advisory Council Secretary

The next meeting of this Advisory Council is scheduled for Monday, February 22, 2010.