
August i'mPOWERED! (belated) NMHOA's Educational Network

1 message

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i'mPOWERED! (belated) August 2016

**NMHOA's President Tim Sheahan Welcomes
You to i'mPOWERED!**

Welcome to NMHOA's educational series, i'm**POWERED!** As they say, "knowledge is power," which inspired NMHOA to create a distinctive name for this service that combines the three words I-am-empowered.

The goal of i'm**POWERED!** is to inform and educate so you have the tools to help yourself in dealing with the unique circumstances of manufactured home living. We hope you find the articles valuable and welcome your question or suggestions for future content.

Wishing you success and satisfaction!

Political Empowerment

By Tim Sheahan, NMHOA President

A potentially great way to empower your homeowner advocacy efforts is to gain the support of elected officials. With some, all you have to do is ask; with others, it takes education and continued effort to gain support, while in some cases you might never gain support. Needless to say, elected officials are in a position to take action to protect their constituents against predatory actions of opportunistic MH community operators, but it often takes patience and persistence to reach the level of support we need.

With elections nearing, this is the time to execute a strategy for strengthening the level of support of your elected officials at all levels. It starts with doing your homework to identify which candidates support MH owner rights and “pin them down” publicly, or in writing. If they are incumbents, what was their voting record on issues that affect us? Seek opportunities to meet with all candidates, whether it’s individual one-on-one meetings, candidate forums, town hall meetings or to provide them with written questionnaires. Candidates soliciting support are generally receptive to discussing issues so try your best to meet with them face-to-face.

Some advocacy groups provide questionnaires to survey all candidates, with the intention of educating them at the same time, so whomever wins will have gained some knowledge on manufactured housing. Responses are evaluated and endorsements are determined, if warranted. Endorsements can backfire if your candidate doesn’t win, so the chance of winning needs to be a consideration. However, endorsing the opponent of an incumbent official who has not been supportive but likely to win will at least send a message of dissatisfaction and accountability. You and fellow MH owners should consider volunteering to assist the campaigns of supportive/endorsed candidates to help their chances of winning and build stronger personal relationships with them. Even if they aren’t elected this year, they might be in a position of power and influence in the future. After all, today’s Council candidate might be tomorrow’s candidate for Governor or Congress, so it’s wise to get to know and influence them early in their political career.

Please follow this link to an educational “primer” entitled [“A Candidate's Guide to Manufactured Housing 2016”](#) for you to give to candidates to educate them on some of the intricacies of manufactured housing. Hopefully, they will read it and be more likely to support your MH lifestyle as a result. Additionally, you can find a list of MH issues as

[topics for verbal questions or written questionnaires here](#), depending upon what level of office they are seeking.

Ask Dave

Q: How can I or my state or community association participate in the 2016 elections? Are there any limits on what I am allowed to do?

A: There is intense interest in the 2016 elections. This is a good thing. Strong participation in elections is a sign of strong communities. It takes an active and engaged public to ensure public officials are responsive to community concerns. As an individual or as a group that is not incorporated as a nonprofit organization, your only real limit on participation in the elections is whatever restrictions may exist at the federal, state, or local levels for that race for campaign contributions. Otherwise you can support campaigns or parties in whatever way you want.

If your state or community association is set up as a nonprofit organization, the important question is what type of Internal Revenue Service tax designation you received. The two most common are 501(c)3, which is the status of most charitable or educational nonprofits, and 501(c)4, which is the status of most social welfare organizations. Both types are permitted to take part in elections, but one can take partisan positions while the other must remain strictly nonpartisan. This means both types can educate voters or candidates on the issues, provide opportunities for voters to hear the candidates' positions, and encourage citizens to register to vote and go to the polls on Election Day. It is simply a question of whether you are being partisan or nonpartisan.

A 501(c)4 organization is allowed to engage in partisan election activities. If your association is such a nonprofit, you can adopt and publicize positions formally supporting or opposing candidates for public office. You just have to be careful that election activity does not become your primary focus. No more than 49% of the expenditures for a 501(c)4 can go partisan election activity. If you want to get into the process of election campaigning, your 501(c)4 organization will have to set up a separate affiliated nonprofit organization referred to as a "527," which is the IRS designation for political parties and political action committees, or PACs. There is no limit on the portion of a 527's budget that can be spent on election campaigning.

A 501(c)3 organization is allowed to engage in nonpartisan election activities. Nonpartisan activities include the following as long as there is no support or

opposition of a candidate by the group:

- Voter Registration & Turn Out -- Encourage citizens to register to vote, help new voters navigate the voting process, and get people to go to the polls on Election Day.
- Candidate Questionnaires & Voting Guide -- Broad range of issues, distributed to all candidates, unbiased questions, unedited responses (not even grammar), and no candidate pledges.
- Candidate Debates & Forums -- Broad range of issues, all viable candidates, unbiased questions, and impartial moderator.
- Candidate Appearances -- If invited as a candidate, there must be equal opportunity for all candidates with no contextual favoritism. If invited for other reasons, there is no need to provide no equal opportunity as long as you don't time it with the elections and don't mention the campaigns.
- Voting Record or Legislative Scorecard -- Broad range of issues, all legislators, don't time with elections, and don't reference elections. You can state your group's position on the issues.
- Candidate Education -- Offer the information to all candidates, or at least make sure it is available through your web site. You can continue to criticize legislators on their positions, if this is something you do on an ongoing basis and you don't mention the elections.

NMHOA is here to help you inform, empower, and engage manufactured home owners in the decisions that affect their lives that are being made at the local, state, and federal levels. Please do not hesitate to contact us at:

admin@nmhoa.org

The Internal Revenue Service considers ballot questions – initiatives, referenda, or constitutional amendments – to be lobbying activity not election activity. As such, a 501(c)4 can engage in an unlimited amount of work on ballot questions since there are no lobbying limits on this type of nonprofit. A 501(c)3, which must remain nonpartisan in candidate elections, may work for or against ballot questions up to their normal lobbying limits.

The IRS makes a distinction between candidates and ballot questions because advocacy on ballot measures is an attempt to influence a proposed law or a policy — not the election or defeat of a candidate. Whether or not the 501(c)3 nonprofit takes a position, it may also engage in unlimited activities that neither support nor oppose the ballot measure, such as voter registration, voter education, and get-out-the-vote activities.

Your state may have reporting requirements for ballot measure expenditures. Check with your state's campaign finance office to see what your state's requirements are if your nonprofit decides to invests resources in advocating a "yes" or "no" vote.

Your lobbying limits depend on which of two alternative tests your nonprofit chooses to measure its lobbying. If your nonprofit has chosen to measure its lobbying under the so-called 501(h) expenditure test (or "bright line" test), it has clearer guidance and can do more lobbying. Under this expenditure test, you can spend a certain percentage of your annual budget (as much as 20% for small organizations, less for larger groups) on efforts by you or your members to directly influence the outcome of a ballot question or legislative vote.

If your 501(c)3 has not chosen to use the above expenditure test, it may spend an "insubstantial" amount of money and time on lobbying. This includes any efforts to support or oppose a ballot question and other efforts the organization makes to influence more traditional legislative proposals at the local, state, or federal levels. "Insubstantial" lobby expenditures have been interpreted to mean a relatively small percentage of time and money, for example less than 5%.

It is easy for your nonprofit to opt for the 501(h) lobbying expenditure test. File a one-page, one-time form with the IRS-Form 5768 (<https://www.irs.gov/pub/irs-pdf/f5768.pdf>). Once submitted and approved your nonprofit has higher and defined lobbying limits. It includes annual reporting of expenditures on your Form 990 or Form 990-EZ.

As a Member, you have access to more resources. Archives for i'm**POWERED!** are kept on [NMHOA's website](#). Log in to i'm**POWERED!** from the main menu using the password: MHO2000*

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NMHOA Annual Convention

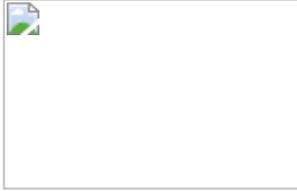
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Las Vegas, Nevada

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National Manufactured Home Owners Association

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