

Protecting Your Manufactured Home Investment:

Manufactured Home Community Homeowners associations



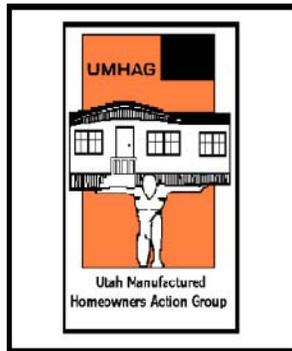
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Utah Manufactured Homeowners Action Group

“We are a nonprofit organization whose members are dedicated to helping people who live in mobile/manufactured homes. Because, mobile/manufactured homes are an important source of unsubsidized affordable housing, we are very much concerned about the number of mobile/manufactured home parks that have been sold in recent years. Our mission is to work with like minded groups to solve this and other problems that may arise in our communities.”

Steve Anderson, President
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SLCAP's Mobile Home Outreach & Advocacy Project

SLCAP advocates policy on the state level, and strives to empower and educate mobile/ manufactured homeowners regarding their rights and responsibilities. SLCAP also helps mobile home park resident's organize into associations, and assists homeowners during park closures. For additional information please contact us.

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Section 1: Legal Protections

Several states have laws that give residents of a manufactured/mobile home park the right to organize resident's associations and usually include provisions similar to the following. You need to check with your state to see if you have these types of protections. If not, a good first step is to work towards similar protections

Mobile home park residents' associations.

- (1) Residents in mobile home parks shall have the right to form associations comprised of residents of the mobile home park in which they reside.
- (2) The membership of the homeowners association may elect officers of the association at a meeting where a majority of the members are present.
- (3) Except in emergency situations, there shall be seven days' notice of an association meeting to all residents of the park. All residents of the park, even if not members of the association, may attend association meetings. The park operator and non-resident employees shall not:
 - (a) be members of the association;
 - (b) attend meetings unless invited by the association;
 - (c) unlawfully interfere with the operation of the association; or
 - (d) interfere with a resident's right to contact a state or local health department, a municipality, or other group to complain about the health and safety conditions of the mobile home park.
- (4) A homeowners association may not impose fees, dues, or assessments, upon its members unless a majority of the members agree to the assessment of fees, dues, or assessments.
- (5) The park operator shall permit meetings by any homeowners association located within the park relating to manufactured home living or social or education purposes, including forums for or speeches by public officials or candidates for public office.
- (6) Homeowners associations may schedule with the park operator the use of the common facilities of the park, if any, free of charge. However, the homeowners association shall be responsible for any damage to the common facilities caused by a member of the homeowners association while a common facility is in use by the homeowners association

There should be 3 Key Protections for Homeowners associations:



1. The right to organize
2. Non-interference by park management
3. Eviction for "good cause" only

Other Rights:

1. Right to use common facilities, free of charge, for homeowners association meetings
2. Right to contact state or local health departments to complain about health and safety conditions of the park
3. Right to have meetings within the park related to manufactured home living or social or education purposes, as well as forums for speeches by public officials or candidates for public office

4. Laws should also contain the provision that mobile/manufactured home park residents are not allowed to waive the above mentioned rights.

Section 2: Why Organize?

“Before we started our homeowners association, there were several homes in our parks that were in disrepair, and made the community look bad. Now, the homes here look great, and our property values are protected.” --Resident, Cottonwood Coves Homeowner Association

Residents of any manufactured home park should join together with their neighbors to form a homeowners association (also known as an HOA). The concept is simple: there is great strength in numbers. Homeowners associations give structure and legitimacy to any group of neighbors who want to organize to protect and improve their community.

Homeowners associations strengthen the voices of mobile/manufactured homeowners in negotiation, and help them to: preserve property values, create safe neighborhoods, and ensure that park management complies with the law. In short: they are assets to the parks, and the community as a whole!

Q. What is a Homeowners Association?

A homeowners association is a formal group of neighbors who come together and form an organization to act on their shared values and vision for the community. Three things are needed to make change in any community:

- A vision,
- A base of people who believe in that vision,
- A vehicle to organize the base.

Homeowners associations are a vehicle manufactured homeowners can use to organize a base and promote their vision. After all, it is about protecting YOUR investment in YOUR home!



Characteristics of Homeowners Associations

Participatory

Everyone in the community is encouraged to get involved

Should represent a majority

The goal should be to encourage the majority of the households in a community to become members of the association (ideally, in the 75% range). This may take a while to accomplish (even several years.) Remember that is normal!

Democratic

Every member has a vote and a voice in decision making.

Community-Led

Leaders of the association are from the community and elected by association members.

Mission Driven

The association has a written mission statement that describes its purpose.

Structured

There is a formal structure created by the membership, called bylaws, which maps out instructions for how decisions get made and how leadership roles are filled.

The Benefits of Homeowners Associations

Community Building

By engaging in community projects, and meeting to resolve collective concerns, these associations have the potential to create positive, strong, and safe communities.

Examples

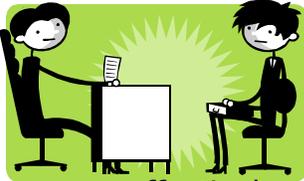
- Develop a neighborhood watch
- Host a park-wide cleanup day
- Host community celebrations and social events
- Establish a welcome committee for new residents
- Have a regular newsletter to communicate to homeowners



Education

Members of a homeowners association help educate their communities regarding the rights and responsibilities of manufactured homeowners, as well as park management. Additionally, homeowners will be able to help improve the image of manufactured housing, and may choose to invite outside neighbors and acquaintances to tour the park.

Mediation



Even if your manufactured home community has not experienced problems, a homeowner's association can prevent them from occurring in the future! When an association is recognized by park management, it effectively opens channels of communication, allowing homeowners to work together to benefit their communities.

Representation

Organizing allows an association to work with legislators to pass legislation which protects manufactured homeowners at the local and state levels. When mobile/manufactured homeowners need to take legal action concerning a grievance, residents organized into an association will have a stronger standing in court.

Examples:

- Participate in broader coalitions (affordable housing, racial justice, etc.)
- Organize voter turnout for elections
- Hold accountability sessions with public officials
- Be a part of public policy decisions



Manufactured Home Park Closures

Owning a home in a mobile/manufactured home park remains one of the last sources of truly "affordable" housing, especially for those on fixed or modest incomes. Over the last decade, several communities across the country have been sold for redevelopment. Unfortunately, residents of the community may be unable to pay to relocate their homes (\$10,000-\$20,000 at least), or their homes are unable to move. When a park closes, homeowners are left scrambling for resources and for alternative housing.

To ensure that manufactured homeowners have the best possible outcome when a park is sold for redevelopment, a functioning, well-organized residents association is ESSENTIAL.

Examples:

- A homeowners association can work with local government to gain access to relocation funds.
- A homeowners association can negotiate with the property owner to best serve residents interests (relocation money, extended time, etc.)



Resident-Owned Communities (Cooperatives)

New financing programs, and for profit and non profit partnerships, have now made cooperative ownership (collective resident ownership) of manufactured/ mobile home parks a real possibility—even for households with fixed or moderate incomes.

In cooperatively owned parks, each household owns a share in the community, and the land beneath their home. This is crucial to asset development, and allows mobile/manufactured homes to appreciate in value over time. It also encourages ownership in the community, and prevents the manufactured/ mobile home park from being sold, or closed for redevelopment. In short—resident owned communities preserve manufactured home spaces and gives manufactured homeowners peace of mind and stability, by knowing that they have control over their housing arrangements.

A prerequisite for resident-owned communities is the presence of a strong, working homeowners association. A park’s mobile/manufactured homeowners need to be able to work together effectively when making decisions that will shape their communities. Furthermore, in mobile/manufactured home parks that have strong resident’s associations, like Cottonwood Coves (Murray, UT), the association can work with partners like Corporation for Enterprise Development (CFED) and Utah Resident Owned Communities (UROC)* to make an offer to purchase their park.

(Important) Examples:

- Purchase the park as a co-op, land trust, or non-profit
- Organize against park closures
- Organize for relocation compensation
- Negotiate as a group with park owners



Section 2: Exercise

Ask yourself: "How could a homeowner's association benefit MY park?"

*Utah Resident Owned Communities (UROC) is a local non-profit which provides technical assistance to residents, when purchasing their parks.

Examples of Homeowners Association Activities



Senior Life Line: In Monte Vista Mobile Home Park (Taylorsville, UT), the neighborhood is divided into teams. In each team, neighbors swap phone numbers, and check in on one another as needed. Households may tell each other when they go on vacations, have their neighbors watch for suspicious activities, and/or pick up their mail.

This helps neighbors to get acquainted with one another, and can help ease the minds of seniors—to know that someone will check up on them, and is watching out for their safety.

Maintenance & Park Standards: Oftentimes, park managers/owners do not know what their residents want for their park. Only when resident's voices come together, does park management understand what it is they can do to improve the community. For example, in one manufactured home community a swing set and barbeque pit had sat unused, in disrepair for years. The homeowners developed a plan to re-vamp the area, and took it to park management. Park management joined with homeowners, and conducted fundraising activities (i.e. bake sales, etc.). While they didn't raise enough to construct a new play area, it did convince the park's owner to invest in the necessary improvements.

Recycling: Cottonwood Coves Homeowners Association created a park-wide recycling program. The monies earned from this enterprise prevent members from having to pay dues, and pay for semi-annual association parties and events.



Emergency Preparedness: As an association, your organization may choose to invite guest speakers and experts to teach your manufactured housing community about emergency preparedness. Mobile/manufactured homes react differently in disasters, and it is important to educate yourself and your neighbors, and create a plan to respond to them.

National Night Out: These events are usually a good place to start! They are designed to:

- Heighten crime and drug prevention awareness;
- Generate support for, and participation in, local anticrime programs;
- Strengthen neighborhood spirit and police-community partnerships; and
- Send a message to criminals letting them know that neighborhoods are organized and fighting back.

Traditional display of outdoor lights and front porch vigils, cities, towns and neighborhoods 'celebrate' NNO with a variety of events and activities such as:

- block parties,
- cookouts,
- visits from local police & sheriff departments,
- parades, exhibits,
- flashlight walks,
- contests, and
- youth programs.

<http://www.nationalnightout.org>



Socializing is Valid!

Many people think that organizational work is tedious and boring by definition. Organizing a group to defend your rights and improve your community can be an enjoyable and pleasant experience!

One way to make organizing more fun is for members to socialize among themselves: schedule a social time at meetings so people can exchange ideas and get to know each other better. This strengthens the sense of community and solidarity among members. Consider celebrating events like birthdays, graduations, and OF COURSE your association's victories.



Discussion

Ask yourself: "What kind of activities could a residents association do to improve MY community?" _____

Section 3: Starting a Residents Association

Keep in mind, there is no one way to organize. If one strategy does not work, try a different one. The most important thing to remember is to be patient, keep your expectations reasonable. As long as a few concerned residents remain active, your organization can grow!



Step 1: Meet Your Neighbors

Get to know the people in your park. Speak with your neighbors when you meet at common spaces, ask them about their problems and concerns as a manufactured/mobile homeowner.

Step 2: Hold a Social Event

Often, some manufactured homeowners may not be ready to organize. Sometimes social events, like a barbeque or National Night Out, can help build trust, and give your neighbors a chance to get to know each other. Advertise your event at least 7-days in advance!

Keep in mind: it may take awhile for your neighbors to get comfortable enough to trust one another. It may take several meetings before people loosen up and start talking. Take a moment during the event to explain its purpose, what you would like to accomplish, and why it is needed in your community.

Step 3: Prepare To Meet

Once residents begin to know and trust one another, its time to have an official meeting to discuss forming an association. The key to successful meeting is preparation. Fresh baked goods may help as well! To encourage attendance, invite a guest speaker, and be sure to create and distribute an agenda before the meeting. The night before your meeting, phone each person who said they would attend, to remind them.

Step 4: Have Your Meeting

It may be a good idea to have the first meeting at a neutral location, a park or a library. Make sure you have a sign-up sheet, and distribute information about mobile/manufactured homeowner rights. Start on time, keep your expectations reasonable, and involve everyone who attends.

Begin each meeting with introductions. Ask everyone to introduce him or herself, and to explain why they came to the meeting. Review the agenda, and ask if anyone has any changes. Remember, keep the meeting focused and open to participation.



Step 5: Schedule a Follow-Up Meeting

This ensures that your neighbors take the idea of organizing seriously. Before concluding each meeting, review any decisions made, and end on time! Determine the time, date, and location of the next meeting.

Step 6: Brainstorm

To build your membership base, it is often helpful to consider what joining an association offers. Is there a problem which affects the entire community? A quick, easy win is often the best way to grow your organization—so shoot for a “low hanging fruit.” If so, determine a strategy to resolve the issue, and build a campaign. Enlist the support of your neighbors.



Step 7: Growing the Organization

After you have resolved a problem in your community and have 20 or so active community residents in the association, the next step is to formalize the association. Create a mission statement and goals, elect leadership, and develop a strategic plan to help the organization grow!

Section 3 Exercises:

The following exercises are intended to help you start a homeowners association in YOUR park!



Exercise 1: Find an Issue

Ask yourself: “Is there an issue in my park that affects EVERYONE? Is it easily resolved? How would I improve my manufactured home community?”

Exercise 2: Planning Your Event!

Ask yourself:

“What kind of activity would my neighbors attend?” _____

“Where should we hold the event—at the park, or at a neutral location?” _____

“How well do my neighbors know/trust each other?” _____

“What kind of guest speaker should we invite?” _____

“Do I live in a multi-lingual community? Where can I find interpreters?” _____

“How should we advertise the event? Flyers? Is there a central bulletin board? Should I contact neighbors face to face?” _____



Section 4: Building a Membership Base

In the beginning, you may find that only a few people consistently come to your meetings. This is not a problem—not everyone wants to be an active participant. With a handful of dedicated individuals, you can make your organization work.

After you've held a few meetings, and you know who the key players are, you can begin to look at ways to build your membership. One question to consider is "Why join?" That is, what does your organization offer that can persuade a member of your community to become involved? Often, the answer to this question lies in your ability to develop an issue that the organization can help resolve.

- What are some of the problems people have complained about? Is there a problem that affects most everyone in the community? How easily can the problem be resolved? These are questions you will want to consider. Sometimes what appear to be many different problems are really just the result of one singular problem.
- Look for low-hanging fruit. Some problems may easily be resolved. Sometimes it is just a matter of finding out who is responsible for the problem and requesting that they solve it. A quick, easy "win" is the best advertisement for the value of your organization.
- Oftentimes, there are several problems in a park. Your organization's task is to turn a person's specific problem into a community improvement that helps everyone. Speeding cars may be a problem; getting management to install speed bumps is an improvement.
- Determine a strategy for winning the issue and build a campaign. Figure out who your allies are and how they can help you. Also determine who ultimately has the power to give you what you want. Then develop tactics that take your organization's strengths into account. Enlist the support of your neighbors.
- Get support from a majority of the households in each park. Get a team of volunteers together to go door-to-door and invite people to join the association. To avoid splinter groups and to be certain of park unity, participation of the majority of the households is a recommended. You probably won't get it the first time through because most people are afraid. Some park managers rule by fear and intimidation. Others are afraid to join for a variety of fears while some simply don't want to rock the boat.

- Define the mission/purpose of the association. Work together to write a 1 to 3 sentence mission statement to let people know what the homeowners association is about.

Suggestion...

When determining a winning strategy, it may be helpful to speak to others who have experience working with Manufactured Community Homeowners associations. Contact representatives from your state manufactured homeowners association or a member of the Manufactured Home Owners Association of America (MHOAA) Board of Directors.

Section 5: Growing Your Organization



When your first started your residents association, you were just a handful of concerned neighbors, getting together for social gatherings, and discussing how you could better your community. Now you have successfully fought to resolve a problem, and have approximately 20 residents in your community that you can count on to participate in the organization. The next step is to formalize the association, and think about what you would like to accomplish in the future. To do so,

Decide on the Structure of the Association

Decide how many people you want on the association board, who is eligible to be a board member, and what board members will do.

Hold Elections for Leadership/Board Positions (See Section 7)

Form a By-Laws Committee

The board's first job is to write the rules, or by-laws of the association (*See example on page 18, and Appendix A.*) By-laws map out the structure of the association and set a process for decision-making. The members of this committee will write the formal by-laws of your residents association. These by-laws explain:

- How elections will be held in the future
- Who can be a member of the association

- How much annual membership costs (if you should choose to charge annual dues)

The committee can meet separately at a future date, and come back to the general meeting with drafted by-laws and its recommendations. Having by-laws in place allows you to become a legal, non-profit entity. As such, you can register with your state, as well as apply for government and private foundation grants.

Celebrate!

Keep the energy high by celebrating. Some ideas: have a party, put up “we did it!” signs around the park, make t-shirts or stickers for association members, and recognize individual contributions.

Win Real Victories for Your Community

Assign board members to complete a community power analysis for each of the 3 priority issues. Set a goal, meet with potential allies, negotiate, and win real changes for your community.

Plan for the Future!

Once you have formalized the organization and have a strategic plan, you can *begin to think beyond just your community*. Do any of the other manufactured home parks in your area have a homeowners association? Perhaps you could *coordinate with other communities to address issues of mutual concern*. Eventually you might even want to organize at the city level.



- Organizing your manufactured home community is a commitment that will take time and energy. It also requires a sacrifice on the part of the organizers, who may be putting themselves at the risk of retaliatory management.
- Be sure you understand the laws in your state and the protections they afford you before you begin to organize (See Section 1).
- Try to work in an open, non-confrontational manner. *Management is not always the enemy*, and sometimes you will find that you can work together to resolve your community's problems.
- Finally, keep at it. Building an organization is a slow business. **As long as you and a few other concerned residents remain active, your group can grow.** There may be slow times where no one in the community is feeling particularly concerned about an issue or cares to participate in the organization. Don't get discouraged. You should be prepared to rally the troops at short notice, in case a need for action should quickly arise.
- Keep your administrative documents in order, particularly the meeting sign-up sheets or membership lists.

With a homeowners association made up of good leadership and democratic participation, you will find that you have the power to determine what kind of community you live in.



Section 6: Mission Statements

Why does your homeowners association exist? Who is it for?

A mission statement can answer all of these questions. It might not seem important, but it is. Every organization has a mission statement that clearly maps out why the organization exists. The point of a mission statement is to let people know what your homeowners association is about. Mission statements can also be a litmus test for future ideas that are brought to the association.

How to Write a Mission Statement

A mission statement is a brief 1 to 3 sentence overview of your association. Every association member should be invited to participate in a discussion about the mission of the association. The following questions can guide the discussion:

- ▶ Whom does your association include and represent?
- ▶ What are the general goals of the association?
- ▶ Why does the association exist?
- ▶ What values does the association promote?



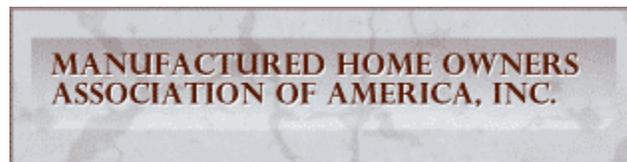
How to Use a Mission Statement

- Share the mission statement with everyone in the park and use it as a way to get more people involved

- Translate it into other languages so that everyone in the park can read it.
- Include the mission statement on letters and fliers.
- Read it out loud at the beginning of all park meetings.
- Require incoming board officers to work to uphold the mission.
- Go back and read the mission when people are not sure if an issue or idea is appropriate for the homeowners association to work on

Example:

Every organization should have a mission statement. The following is an example of a mission statement. It was adopted in 2009 by the Manufactured Home Owners Association of America (MHOAA) as part of its strategic plan.



Mission

The mission of the Manufactured Home Owners Association of America (MHOAA) is to promote, represent, preserve, and enhance the rights and interests of manufactured home owners throughout the United States.

Included in that is a statement regarding the vision and values of the organization:

Vision

Amongst the basic principles fought for by the founding fathers of this country was that of basic property rights. The owner of a manufactured home shares the same tangible investment as does the owner of a one-bedroom condominium or a fifty-room mansion. MHOAA looks forward to the day when the owner of the manufactured home is accorded the same rights and privileges as the other property owners.

First and foremost is the sense of security in their community. Safeguards must be in place to ensure the homeowner's community is safe from sale and closure without the opportunity of the community to participate in its own self determination. If self determination is not achievable, homeowners should receive fair and just compensation as a result of such actions.

Values

If all people lived by the Golden Rule, there would be little need to discuss values and principles. As an organization, we value the principle of treating others the way we would like to be treated. We believe in dealing honestly and treating each other with civility and kindness. We expect the same of

those outside our organization and forgive the shortcomings of those who do not meet our expectations.

We embrace, endorse, and celebrate our diversity. We reach out to those who we may perceive may be different from ourselves. We seek understanding and to understand. This is not limited to our gender, ethnic, cultural, and religious diversity. It extends to the diversity of thought and ideas. We encourage creativity and looking for new ways to solve old and new problems.

Section 7: Homeowners association Leadership Positions



Electing a Homeowners Association Board

1. Confirm Status of the Association

Before holding elections, as a general rule, it is best if the majority of households in your park have had the opportunity to join the association.

2. Define the Mission of the Homeowners Association

The association should have a brief mission statement defining its purpose and values, so that it is clear to potential board candidates what the association is about.

3. Decide the Structure of the Board

Size: The board should have an odd number of people. Generally 5 or 7 people is a good size. If the board is too small, your officers may get burned out. If the board is too big, meetings may become unmanageable and hard to coordinate.

Officers: Boards typically have a president, vice-president, secretary, and a treasurer. The other members are known as “at-large” members and share the same voting privileges as officers.

4. Identify Potential Conflict of Interests

It is critical that in a homeowners association, the issues affecting residents be the main concern of its officers. There are numerous ways in which a conflict of interest may arise. For example:

- Park managers, owners, landlords, maintenance or people otherwise employed by the park
- Immediate relatives of the park owner or management
- People who own a home or homes in the park, but do not live in the park
- Anyone who benefits financially from the operations of the park, or from the closure of the park due to a unique relationship with the park or developers

5. Determine who can serve on the Board

Before nominations, the membership should clarify who can and cannot be on the association board. As a general rule, conflicts of interest are best avoided, and only members of the association can be members of the board.

6. Nominations

Only homeowner's association members can nominate for board positions. Members can also nominate themselves. Once a candidate has been nominated they should either decline or accept the nomination.

7. Candidate Speeches

Candidates should give a brief speech (2 minutes) on why they want to be on the association board, what they hope to accomplish, and why they are the best person for the position.

8. Voting

Elections should begin for the highest office (president) and proceed down so that people can run for multiple positions if not elected. They should be done through secret ballot and only one person per household is allowed to vote. To win the election, a candidate must receive 50% + 1 of the vote. If no one receives 50% + 1 during the first round of voting then the top two candidates will hold a run-off election.

9. Vote Counting

An objective party should count votes. Candidates for a particular position should not be involved in counting ballots for that position. Votes should be tallied and the results posted for all to see.

10. Acceptance Speech and Pledge

Each newly elected board member may give a 1 minute acceptance speech and promise to uphold the mission of the homeowners association.

Descriptions of Leadership Roles



President

The president is responsible for working with the board in order to run the association. They preside at association board meetings as well as park wide meetings. They are usually the association's spokesperson and a key contact with allies, targets, and media. The president must lead in a democratic manner and consult with the board and membership before taking actions or making major decisions.

Vice-President

The vice-president will take over for the president in the event of absence or inability to perform normal duties, as well as succeed the presidency, should the president be removed or resign. The vice-president will assist the president in the performance of his or her duties.

Secretary

The secretary takes minutes of all board meetings and distributes them as needed by the board and membership. They also collect ballots at election times for the board and can facilitate the production of newsletters.

Treasurer

The treasurer will facilitate any fund raising efforts and keep the board apprised of the association's funding budget at each meeting. They also present an annual

budget to the association at the annual meeting. If the association decides to require the membership to pay dues, the treasurer will collect them.

At-Large Members

At-large members along with the other officers vote on matters of importance to the association. They are responsible for outreach work and for recruiting support. They also represent the residents' interests at board meetings.

Section 8: Other Tips!



Running an Effective Meeting

Running an effective meeting is crucial; to get things done, as well as to build confidence among your neighbors that the association is productive and useful. If your meetings are not effective, few people will participate.

An effective meeting is one that results in an agreement as to what is going to be done, who is going to do it, and (just as important), **WHEN** they are going to do it! Some tips for running an effective resident's association meeting are as follows:

- 1. Have a clear, written agenda prepared before the meeting, by the steering committee.** The agenda for early homeowner meetings should usually focus on specific community problems, and ways to solve them. This agenda can serve as an outreach tool if it is distributed before the meeting. The agenda will help you to focus on the items you have prioritized.
- 2. Allow everyone to speak, but always go back to the agenda.** For the first community-wide meeting, the agenda should include an Introduction. This should report on why the meeting was called and why there is a need to form a homeowner's association.



Communication Tips

Flyers: Flyers are probably the most common, easiest way of reaching your neighbors. To be effective, flyers need to be legible and to-the-point. People don't bother to read flyers with too many words. Remember to produce the flyers in all the languages spoken in the park. You should use familiar terms for everyone. Try to catch people's attention by being creative, using bright colored paper, or eye-catching graphics.

Newsletters: A newsletter is a way of making periodical contact between the leaders and the residents in the park. In the newsletter, you can inform tenants about upcoming meetings, how things are going, what the leaders and volunteers are working on, as well as social events of interest to everyone. *The best thing you can include is a section which publicizes the association's successes.*

To create a newsletter, create a committee that works as a team. It only needs to be 1 page in length (front & back). You can cover printing costs through membership dues or by taking up a collection at a meeting.

Appendix A: Sample By-Laws

BY-LAWS

SPRING HILLS HOMEOWNERS ASSOCIATION

(S.H.H.A. WAS ORGANIZED JANUARY 1, 2001)

ARTICLE I

THE ASSOCIATION SHALL BE KNOWN AS SPRING HILLS HOMEOWNERS ASSOCIATION – (S.H.H.A.). THIS ASSOCIATION IS A NON-PROFIT CORPORATION REGISTERED WITH THE STATE OF <INSERT YOUR STATE NAME>.

ARTICLE II

OBJECTIVE AND PURPOSE: THIS ASSOCIATION HAS BEEN FORMED TO PROMOTE THE GENERAL WELFARE AND RIGHTS OF THE MANUFACTURED HOME OWNERS WITHIN THE SPRING HILLS MOBILE/MANUFACTURED HOME PARK, AND TO PROVIDE AND REPRESENT THE MEMBERSHIP WITH CURRENT LOCAL, STATE, AND FEDERAL LEGISLATIVE INFORMATION, AND OTHER ACTIONS THAT COULD AFFECT MOBILE OR MODULAR HOME OWNERSHIP AND SAFETY. THIS ASSOCIATION ACTS AS LIAISON BETWEEN S.H.H.A. AND THE PARK'S OWNERSHIP/MANAGEMENT.

ARTICLE III

MEMBERSHIP: MEMBERSHIP SHALL BE ON A LOT SPACE BASIS, WITH ONE (1) VOTE PER LOT. THE VOTER REPRESENTING THEIR RESPECTIVE LOT MUST BE ONE OF THE PERSONS SHOWN AS LESSEES IN THEIR RESPECTIVE RENTAL//LEASE AGREEMENT. ALL HOMEOWNERS ARE ENCOURAGED TO JOIN THE ASSOCIATION.

ARTICLE IV

OFFICERS: THERE SHOULD BE A MINIMUM OF NINE BOARD MEMBERS WHO WILL MANAGE THE BUSINESS AND OTHER AFFAIRS OF THE ASSOCIATION. THEY WILL BE KNOWN AS THE "BOARD OF DIRECTORS" WITH POSITIONS OF PRESIDENT, VICE-PRESIDENT, SECRETARY, TREASURER, AND FIVE BOARD MEMBERS. THE TERM FOR EACH POSITION WILL BE TWO YEARS, UNLESS THE PERSON RESIGNS.

ARTICLE V

MEETINGS: GENERAL ASSOCIATION MEETINGS SHOULD BE HELD AT LEAST ANNUALLY. SPECIAL MEETINGS MAY BE CALLED AS DEEMED NECESSARY BY THE BOARD OF DIRECTORS. WRITTEN NOTICE OF ALL THESE MEETINGS SHALL BE GIVEN TO THE ASSOCIATION MEMBERS NO LATER THAN ONE WEEK PRIOR TO ANY MEETING.

ALL MEETINGS, BOTH BUSINESS AND GENERAL, SHALL BE CONDUCTED WITH "ROBERTS RULES OF ORDER".

ARTICLE VI

AUDITS: AN ANNUAL FINANCIAL AUDIT SHALL TAKE PLACE WITHIN 30 DAYS PRIOR TO THE ANNUAL ELECTIONS. THE PRESIDENT SHALL APPOINT AN APPROPRIATE NUMBER OF ASSOCIATION MEMBERS WHO ARE NOT CURRENT OFFICERS. AUDIT COMMITTEE SHALL REPORT THEIR FINDINGS TO THE BOARD OF DIRECTORS. FOLLOWING THE ANNUAL ELECTIONS, EACH OUTGOING POSITION SHALL BRIEF THE NEWLY ELECTED OFFICERS CONCERNING ONGOING PROGRAMS AND HAND OVER ALL MONIES, BOOKS CORRESPONDENCE, ETC., WITHIN FIVE DAYS.

ARTICLE VII

AMENDMENT OF BY-LAWS: THE BY-LAWS MAY BE AMENDED, ALTERED, REPEALED OR NEW BY-LAWS ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, FOLLOWED BY A MAJORITY VOTE OF THE MEMBERSHIP IN ATTENDANCE AT ANY REGULAR OR SPECIAL MEETING. THE FOLLOWING PROCEDURE SHALL PREVAIL FOR BY-LAW CHANGES:THE BOARD OF DIRECTORS SHALL REVIEW ALL PROPOSALS AS SUBMITTED TO THEM IN WRITING, AND WILL HAVE APPROVED THE CHANGED BY A MAJORITY VOTE OF T HE BOARD OF DIRECTORS.THE ASSOCIATION MEMBERS ARE GIVEN WRITTEN NOTICE OF THE SUBJECT MATTER UNDER CONSIDERATION PRIOR TO THE REGULAR OR SPECIAL MEETING WHERE THESE CHANGES WILL BE DISCUSSED AND VOTED UPON BY THE MEMBERS.A MAJORITY VOTE BY THOSE IN ATTENDANCE AT THE MEETING SHALL CONSTITUTE FINAL PASSAGE OF THE CHANGES.

ARTICLE VIII

DUTIES AND RESPONSIBILITIES OF OFFICERS

PRESIDENT: THE PRESIDENT WILL CONDUCT ALL MEETINGS AND WILL LEAD THE ASSOCIATION IN DISCUSSION OF SIGNIFICANT MATTERS BROUGHT UP BY OFFICERS ADDRESSING CONCERNS BROUGHT TO THEM BY ASSOCIATION MEMBERS. HE/SHE WILL PROPOSE AREAS OF DIRECTION PERTAINING TO THE GOOD OF MEMBERS WITHIN THE PARK, AND WILL SPEAK FOR THE ASSOCIATION UNLESS OTHERS ARE DESIGNATED TO FILL THIS FUNCTION.

VICE-PRESIDENT: THE VICE-PRESIDENT WORKS CLOSELY WITH THE PRESIDENT AND FUNCTIONS IN AUTHORITY WHEN THE PRESIDENT CANNOT BE IN ATTENDANCE.

SECRETARY: THE SECRETARY WILL KEEP MINUTES OF ALL MEETINGS AND WILL KEEP LIST OF OFFICERS AND DATES ELECTED. WILL OVERSEE THE COMMITTEE VOLUNTEERING TO DELIVER LETTERS, NOTICES, ETC TO ALL HOMEOWNERS. WILL GIVE NOTICE TO ALL PARK RESIDENTS OF ASSOCIATION MEETINGS. WILL KEEP AN UP-TO-DATE LIST OF MEMBERS. WILL KEEP REPORTS, DOCUMENTS WITH THE LEGAL AND DAILY OPERATION OF THE ASSOCIATION.

TREASURER: THE TREASURER WILL COLLECT ALL MONIES. THE TREASURER WILL DEPOSIT FUNDS IN THE NAME OF THE ASSOCIATION. THE TREASURER WILL HAVE CHARGE OF THE FUNDS IN THE NAME OF THE ASSOCIATON, AND WILL KEEP ACCURATE ACCOUNT OF THE MONIES RECEIVED AND PAID OUT. A LEDGER SHALL BE USED FOR THIS PURPOSE. THE TREASURER SHALL SIGN CHECKS AND KEEP AN ACCURATE CHECK REGISTER.

BOARD MEMBERS: THERE WILL BE FIVE BOARD MEMBERS. THEY WILL BE ASSIGNED RESPONSIBILITIES AND DUTIES BY THE CHAIRMAN AS DEEMED APPROPRIATE.

REMOVAL OF OFFICERS: ANY OFFICER MAY BE REMOVED BY A MAJORITY VOTE OF THE MEMBERSHIP AT ANY MEETING.

ELIGIBILITY TO HOLD OFFICE: PERSON MUST BE A MEMBER IN GOOD STANDING, AND ACCEPT THE RESPONSIBILITIES OF THE POSITION OUTLINED IN THESE BY-LAWS.

NOMINATONS/ELECTIONS: WHEN THERE ARE LESS THAN TWO NOMINATIONS PER VACANT POSITION, THE ELECTION VOTE MAY BE BY ACCLAMATION, BY A SHOWING OF HANDS. ALL OTHER VOTING SHALL BE BY SECRET BALLOT.

VACANCIES: VACANCIES MAY BE FILLED AT ANY TME BY A MAJORITY APPROVAL FROM THE BOARD OF DIRECTORS.

DEBTS: THE BOARD OF DIRECTORS SHALL NOT INCUR ANY DEBTS IN EXCESS OF THE FUNDS AVAILABLE TO THE ASSOCIATION.

DUES: DUES ARE PER CALENDAR YEAR AND WILL BE DUE JANUARY 1ST.

SIGNATURES OF BOARD OF DIRECTORS
AS OF JANUARY 1,2001

PRESIDENT

VICE-PRESIDENT

SECRETARY/TREASURER

BOARD MEMBER

Appendix B: Sample Articles of Incorporation

Certificate of Incorporation - Non Profit Corporation

1. Name of Corporation

Your Home Owners Association

2. Principal Office

The principle office is located at *Address*. The resident agent is *Name & Address*.

3. Purpose

The object and purpose of this corporation is to promote, represent, preserve, and enhance the rights and interests of homeowners residing in what is known as the *Your Home Owners Association*.

In furtherance of and not in limitation of the general powers conferred by the laws of <INSERT YOUR STATE NAME>, and the objects and purposes set forth in this instrument it is expressly provided that this corporation shall also have the following powers:

Acting through its board of directors, its president and other officers, subject to the powers and restrictions of this certificate of incorporation, and its by-laws, to do all such acts as are necessary or convenient to the attainment of the objects and purposes set forth in this certificate and to the same extent and as fully as any natural person might or could do.

To purchase, lease, hold, sell, mortgage, or otherwise acquire or dispose of real or personal property; to enter into, make perform or carry out contracts of every kind with any person, firm, corporation, or association; to do any acts necessary or expedient for carrying on any and all of the activities and pursuing any and all of the objects and purposes set forth in this certificate of incorporation and not forbidden by the laws of <INSERT YOUR STATE NAME>.

To have offices and promote and carry on its objects and purposes within or without <INSERT YOUR STATE NAME>, in other states, District of Columbia, territories or colonies of the United States.

4. No Stock

The corporation shall not have any capital stock, and the conditions of membership shall be stated in or made part of the by-laws of this corporation.

5. Incorporator(s)

The names and places of residence of the incorporator(s) are as follows:

Name, Address

6. Term of Existence

The corporation shall have perpetual existence.

7. Corporate Debts/Private Property

Private property of the members shall not be subject to the payment of corporate debts.

8. Organization

The activities and affairs of the corporation shall be managed by a board of directors. The number of directors, which shall constitute the whole board shall be such as from time to time shall be fixed by, or in the manner provided in, the by-laws, but in no

case shall the number be less than three (3). The directors need not be members of the corporation unless so required by the by-laws. The board of directors shall be elected by the members at the annual meeting of the corporation to be held on such date as the by-laws may provide, and shall hold office until their successors are respectively elected and qualified. The by-laws shall specify the number of directors necessary to constitute a quorum. The board of directors may, by resolution or resolutions, pass by a majority of the whole board, designate one (1) or more committees, which to the extent provided in the resolution or resolutions or in the by-laws of the corporation shall have and may exercise the powers of the board of directors in the management of the activities and affairs of the corporation and may have power to authorize the seal of the corporation to be affixed to all papers which may require it; and such committee or committees shall have such name or names as may be stated in the by-laws of this corporation or as may be determined from time to time by resolution adopted by the board of directors. The directors of the corporation may, if the by-laws so provide, be classified as to term of office. The corporation may elect such officers as the by-laws may specify, who shall, subject to the provisions of the statute, have such title and exercise such duties as the by-laws may provide. The board of directors is expressly authorized to make, alter, or repeal the by-laws of this corporation.

This corporation may in its by-laws confer powers upon its board of directors in addition to the forgoing and in addition to the powers and authorities expressly conferred on them by statute provided that the board of directors shall not exercise any power of authority conferred herein or by statute upon the members.

At the time of this certificate of incorporation, the following are serving in their specific capacities in accordance with the by-laws and it is the intent that these individuals continue to serve when this certificate of incorporation is made official until such time as provided under the by-laws of the corporation.

| Name | Title | Address | City | State | Zip Code |
|------|----------------|---------|------|-------|----------|
| | President | | | | |
| | Vice President | | | | |
| | Secretary | | | | |
| | Treasurer | | | | |
| | Director | | | | |
| | Director | | | | |

9. Meetings

Meetings of members may be held without <INSERT YOUR STATE NAME>, if the by-laws so provide. The books of the corporation may be kept (subject to any provision contained in the statutes) outside of <INSERT YOUR STATE NAME> at such place or places as may be from time to time designated by the board of directors.

10. Right to Amend

The corporation reserves the right to amend, alter, change, or repeal any provision contained in this certificate of incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon members are granted subject to this reservation.

Dated, _____ in *Your City*, <INSERT YOUR STATE NAME>

Registered Agent

Incorporator