



A. HUNTER PROPERTY MANAGEMENT, INC.

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Time Matters

Featuring Information on our Services, News, Views & Tidbits...
KEEPING YOU ON TOP OF YOUR INVESTMENT!

Professional
Property
Management

Your
Key to
Peace
of
Mind!

info@ahunter.com
www.ahunter.com

2019 LEGAL FRUSTRATIONS

2019 brought our office numerous legal frustrations. Wherein we legally tried to evict residents only to find ourselves in an unjustified countersuit or appeal, costing us months and months of unpaid lot rent and legal fees.

I currently head into 2020 with a few cases still lingering:

- 1) We evicted a resident. He was removed by the constable and then snuck back in the home. We had him removed again by the police, and he snuck back in again. This time, a healthy tree fell on his home during a bad storm. The "Tenant" is now suing us for \$15,000, what he claims his home is worth. Do I need to mention the home is nowhere near worth \$15,000. Further, he doesn't own the home, it's being financed, and he legally is not our "Resident" anymore, he was removed by the Constable and the Police. The resident didn't sue us until we filed for abandoned title to get the home removed. He thought that since we wanted the title, the home must be worth something. So, we had unpaid rent, legal fees, and will eventually have to pay to remove this home. Yet, we are tied up with our legal counsel and our insurance companies, trying to work this out. And, until it is worked out, we have this deplorable home sitting on the land that we can't move and can't collect rent for. The legal fees continue to mount. The Resident no legal fees, he has free legal aid.
- 2) We took over management of a community, and a resident had not paid rent for a year. We received an eviction judgment from the District Magistrate. The resident appealed, stating there is a live electric wire on her home and she not only doesn't want to pay back rent, she wants

several thousands of dollars in compensation. There is no record that she ever even contacted the prior owner, and I know for a fact she did not contact us about the wire when we began management, even though we sent a Tenant Questionnaire asking residents to let us know of any concerns they have with their housing. She returned the questionnaire, but said nothing about a wire. We have now been fighting this battle for 6 months while receiving no back or current rent. Our legal fees continue to mount. The Resident ... no legal fees, she has free legal aid.

- 3) We have another resident who has not paid rent for 8 months, we have a judgment from the District Magistrate, the resident appealed the judgment (remember, the residents can appeal for free, we legally need counsel to answer an appeal). We then had to go to the courthouse and appear in front of a panel of mediators. We agreed to forgo our attorney fees, and let her stay till January 1, so she didn't have to be out of her home for Christmas. We told her the back rent could be paid by sending in \$25 per month, or whatever she could afford (knowing any amount received would be a miracle). She told the mediation board she simply could not afford to live in the community. She accepted our offer. Two days before the appeal period was up for the mediation, she appealed again – claiming a stay on the eviction. We are now heading into an emergency hearing shortly. We cannot collect lot rent, we will be lucky to collect any back rent and our legal fees continue to mount. The Resident – no legal fees, she has free legal aid.

(continued on page 2)

Check Out
www.ahunter.com

and Learn How

A. Hunter Property Management, Inc.
can make your rental property a
NO-HASSLE Investment



*Includes links to other manufactured housing industry related sites
providing you with a wealth of information.*

METERED UTILITY BILLING BY A. HUNTER

We can bill your residents for utilities.

If you have metered utilities, you can send us your readings and we will bill your residents. Bills can also include rent amounts and/or other charges. We do not read meters, but will bill based upon the readings you supply.

Contact A. HUNTER for a

**FREE COPY OF THE MANUFACTURED HOME
COMMUNITY RIGHTS ACT – ACT 261 of 1976
as Amended by ACT 80 of 2010 by ACT 156 of 2012**

Remember, along with your rules and regulations, this Act should be on your bulletin board.

2019 LEGAL FRUSTRATIONS *(continued)*

This is very frustrating for all community owners we have talked to this year. The residents have somehow learned that they simply need to appeal and they can remain living for free in our communities.

My mission for 2020 is to figure out how we, as community owners and managers, can put an end to this. It is costing community owners too much money, time and frustration. Obviously, laws need to change. Hopefully, this is something we can bring to the attention of our association and get changed.

I understand that residents need to be protected from “Bad Community Owners,” but it’s not fair to penalize all the “Good Community Owners.”

I do know that in 2020 we will be screening our residents even more in depth than we have in the past. I will be checking social media to see if this resident is someone who is suing everyone else, if they keep their homes neat on the exterior, etc. We MUST follow the law when screening applications, and we cannot discriminate. But, we have every right to screen thoroughly.

I speak with many owners who screen residents on a “gut feeling.” That can end up costing you a lot of money, and every effort should be put into a thorough screening of every single applicant.

Another recommendation, that we follow in my office, is a consistent policy with those who are paying late. Knowing that the legal process could be drug out for months, it’s imperative to get your non-paying residents into court as soon as you possible can. We file our Landlord Tenant complaints as soon as our residents have not paid 2 months rent.

Another thought is possibly “buying out” a resident who we know is struggling. If we can see that it is going to become a legal issue and could potentially cost us a great deal of money, maybe we offer to buy the resident’s home. This gives them the money to move on and it gives us our land back so we can obtain a good paying resident and maybe even possibly sell the home we just purchased, saving us a lot of money and a lot of time and frustration. Right now the attorney and the resident are benefiting from this system, and we are losing.

Many things to think about and consider ... I’m hoping I will see a turn around in this latest pattern and that 2020 will bring about new ways to ensure owners of communities are getting good paying residents and less of these appeals and less frustration.

If anyone has been experiencing these frustrations and has had success in resolving them, please let me know your experience and I can share it in our next issue of *Time Matters*.

PMHA CALENDAR 2020

HUD Manufactured Housing Installer License Training

Upcoming Training Dates:

- **February 13-14, 2020 – Camp Hill, PA**

Professional Housing Consultant (PHC®) Designation Program

PHC Program – will be offered Spring 2020 in Carlisle, PA.

Accredited Community Manager (ACM®)

The ACM® program is a comprehensive study of manufactured home community management topics. This program covers a broad range of manufactured home community management topics to include: management and resident policies, community maintenance, leasing and sales techniques, marketing communities, taxes, insurance, financial management, business planning, physical asset management, federal laws and fair housing law. Community owners, managers and others in key management roles within a community may attend classes.

The in-person ACM® program consists of two courses, the first lasting three and one-half days and the second lasting two and one-half days.

ACM Course 1 – will be offered Fall 2020 in Carlisle, PA. The focus of this 3 1/2 day course is Professional Community Management and will cover an overview of the varied responsibilities of the community manager.

ACM Course 2 – will be offered Spring 2021 in Carlisle, PA. The focus of this 2 1/2 day course is Advanced Community Management and will cover Community Operations and Financial Management.

Industry Networking Conference (Annual Meeting) – March 11-12, 2020 – a multiple-day, industry focused educational program mixed with an opportunity to connect socially with other industry professionals.

Card Agent Training – April 21, 2020 & October 15, 2020 – This PennDOT-authorized course consists of six hours of instruction on the most common transactions and procedures when processing manufactured housing title work. Card Agents are required to be trained one year after initial licensing and every two years thereafter.

Retailer Symposium – June 10, 2019 – PMHA offers a full day “Retailer” focused education program in north central PA.

District Meetings – held in mid-July

Community Symposium – November 10, 2020 – PMHA offers a full day “Community” focused educational program in central PA. Bringing you the tools you need to be a successful business person in today’s competitive housing market.

FUN FACT #1

Manufactured Housing is Home to a Significant Number of Americans.

More than 17.5 million Americans live in manufactured homes, which make up over 6 percent of the nation’s total housing stock. (2017 American Community Survey).

FUN FACT #2

Today’s Manufactured Homes are Well-Designed and Constructed.

Manufactured housing is of comparable quality and lifespan to site-built housing. Being built in a controlled, factory environment means assembly line efficiencies and no weather delays, and results in production cost savings that are passed to the homebuyer. Federal construction regulations mandating minimum construction and safety standards for these homes have been in place and overseen by the U.S. Department of Housing and Urban Development since 1976.

FUN FACT #3

The technical term is “manufactured home.”

Although most use the terms “mobile home” and “manufactured home” interchangeably, technically, they are different.

According to the HUD code, mobile homes are now “manufactured homes.”

In 1980, Congress made the

term “manufactured home” official in the law-books. But for most, “mobile home” will continue to be a part of everyday speech when referring to manufactured housing. To some, it connotes the pre-hud code dilapidated homes on wheels. However, others choose to redefine the words “mobile home” to mean quality and affordable housing.



What it Means to be a HUD Installation State

Courtesy of PMHA

Installation Method

The same as PA, homes must be installed in accordance to the approved manufacturer's installation designs.

Installer Licensing

All current installers will need to obtain a HUD installation license. The effective date to do this will vary by installer. Note, for those PA installers who also have a HUD license they will not have to worry about PA deadlines. PA Certifications expiring prior to October 1, 2019 should be renewed if applied for by end of day September 30, 2019. PA Certifications expiring on or after October 1, 2019 will need to obtain a HUD certification using the HUD's application Form 307 – *HUD Manufactured Home Installers License Application*. When the application is submitted to HUD, the following will need to be submitted as well:

- Proof of successfully passing an approved HUD Installation Training program (only available online between now and October 1, 2019) – first in person course will be Mark Conte's on November 7 & 8 (Harrisburg) and November 14 & 15 (Clarion)
- Proof they meet the minimum experience requirement
- 1,800 hours of experience in installing mfg homes (statement from past or present employer or self-certify)
- 3,600 hours as a supervisor in the building construction industry (statement from past or present employer or self-certify)
- 1,800 hours as an active manufacture home installation inspector (statement from past or present employer or self-certify)
- Completion of a one-year college educational program in a construction related field, or (copy of transcript required)
- A combination of experience and education that equals 3,600 hours of the above (statement from past or present employer or self-certify and copy of transcript)
- Bond and Insurance
- Surety Bond only – sufficient to replace the homes, minimum coverage \$100,000.
- Insurance Coverage only – \$250,000 policy that will cover all warranty issues with no deductible for one year after any installations. Paid in full for a minimum of 1 year, etc.
- Combination of Bond and Insurance – minimum of \$250,000 general liability policy with HUD listed as a certificate holder and a \$10,000 bond.
- Irrevocable Letter of Credit – sufficient to replace the homes, minimum coverage \$100,000.
- Combination of Irrevocable Letter of Credit and Insurance Policy – minimum of \$250,000 general liability policy with HUD listed as a certificate holder and a \$10,000 irrevocable letter of credit.

Note: the combination of bond and insurance is most widely used.

Additional Notes on this process:

- I am being told for those who work for retailers the bond and insurance can be in the retailer's name – trying to get this confirmed.
- I am being told SEBA is not quick to process the licenses so the sooner installers can submit their applications the better – DO NOT WAIT TILL THE LAST MINUTE!
- Licensees receive a paper copy of the license and an email copy.
- If at any time SEBA receives word the bond or insurance policy expires, they suspend licenses until a valid copy is supplied to them.

Special Note: Because of the length of time it takes to get a HUD license through SEBA, and provided your training is current, DCED is willing to renew a PA Certification that expires in October, November or December

IF you apply for the renewal before the end of day, September 30, 2019. Note the certification will expire October 1, 2020, but it will give you time to get the HUD licensing requirements in order.

Inspections

PA Certificate of Compliance form will be in effect for new home installations until September 30, 2020. This will be for installers operating under a PA Certification or a HUD license. HUD Form 309 – *HUD Manufactured Home Installation Certification and Verification Report* – will replace the PA Certificate of Compliance for new home installations effective October 1, 2020.

- Form 309 MUST be completed in its entirety and signed by a licensed installer AND the local code officer prior to issuing a certificate of occupancy.
- If the local code officer refuses to sign the Form 309 then a HUD approved inspector must complete and sign the form. (This will cause delays and additional costs – so know what your local code official will do)
- Copies must be provided to anyone who paid for the installation (customer), as well as the retailer, building code official/HUD inspector, and HUD (copy must be attached to retailers Form 305).
- A copy Form 309 must be maintained by the installer for at least 3 years from completion of the installation.

Additional Notes on Inspections:

- I am already getting calls from HUD inspectors operating in Maryland and New Jersey.
- Mike Moglia is saying he will continue to provide training to code officials, to encourage code officials to sign the forms; but if not signed that is okay. We are getting clarification on this since HUD clearly states that if the forms are not signed, they will be returned, HUD deficiency letters will be sent, and licenses can be suspended until the form is signed.
- If code officials refuse to sign the Form 309 this will cause delays and add additional costs since a HUD inspector will need to be called.

Retailers Responsibilities

The HUD Installation program tracks not only installation but the sale of homes as well. This is done using the Form 305.

- Submit Form 305 – *HUD Manufactured Home Retailer Report-Home Tracking Information* – within 30 days from the time a purchaser enters into a contract to purchase a manufactured home – this information will be verified using manufacturers production reports.
- Submit Form 306 – *HUD Manufactured Home Retailer Report-Home Installation Information* – within 30 days from the date of installation – this information will be verified using manufacturers production reports, retailer reports and installer reports. SEBA is saying must attach a copy of the Form 309 for all homes listed on the report.
- Retailer records must be maintained for at least 3 years from date of completion.

Relocated Manufactured Homes

According to DCED this program remains in place. Certified installers will need to be involved in the installation of the home and the person responsible for the installation must provide a copy of the PA Certificate of Compliance form signed by a certified installer to the code official before a certificate of occupancy can be issued on the home. We continue to work with DCED on how this program will work in concert to the suspended program for new homes.

A HUNTER PROPERTY MANAGEMENT OFFERS YOU:

❖ MANAGEMENT – Peace of mind.

You can own a manufactured home community while we handle all aspects of operating your community 24/7. We will enforce the rules and regulations, do a walk through of the community to ensure resident compliance and to make sure we don't see anything that would be a liability to the community owner, screen applications, collect rents, pay bills, take your residents calls 24/7, handle all emergencies, we will take care of maintenance per your instructions, solicit bids for snow removal, lawn care and any other project you might need at your community. We will attend landlord/tenant hearings, file landlord tenant complaints, notify your tax office monthly of the move in and move outs. We supply you with detailed accounting reports monthly, along with a copy of the inspection report, newsletters and a detailed history report of every resident we have spoken to or task that has been done at your property each month. EVERYTHING that you need done to run your community can be handled by our professional staff who is trained in the management of manufactured home communities. YOU ARE PAYING a monthly rate for our entire staff, as opposed to having your own employees who will charge more and who you will need to provide workman's comp insurance and other benefits. You are paying so much less for a qualified team so you can take care of your other responsibilities.

❖ DMV Paperwork

A. Hunter has a licensed card agent on staff who can prepare and submit paperwork to PA DMV for title work.

❖ New Home Sales

A. Hunter has now opened an additional business, **A. Hunter Homes**. We can assist you with the sale of new homes in your community. Keep in mind, only licensed dealerships can sell new homes in PA.

❖ Used Home Sales

Only 4 used homes can be sold by an entity in any given year. Real Estate Agents in PA can sell as many used homes as they'd like, there is no limit. **A. Hunter** employs Real Estate Agents and a Licensed Real Estate Broker who are able to sell used homes within your community, above the 4 unit limit.

❖ Certified Installers

A. Hunter has two licensed manufactured home installers on staff. Even though we use outside entities to install homes, with the installers license we are able to oversee the work of new homes being set up in your community to ensure everything is being done in accordance with State and Local laws and in accordance with the installation procedures set by the factory.

We work hard for you on all aspects of owning and operating a manufactured home community. We've been in business for 26 years and have been involved in the industry for over 35 years – let us put our years of experience to work for you!

FUN FACT #4

Mobile homes are popular among the rich and famous. Talk about fun mobile home facts. Did you know that celebrities are into mobile homes? Well, we're here to tell you that mobile homes aren't for low income or middle-class families. They're excellent housing for anyone, regardless of someone's social or financial status.

For example, Matthew McConaughey lived in a mobile home in Malibu at some point in his life as a successful actor. And Kid Rock is a big fan and currently lives in one. He loves that they can afford him a minimalistic lifestyle and aren't costly. If his home burns down, he knows a new one can be built quickly thanks to the speed of mobile home manufacturers.



Choose From A. Hunter's **2 Comprehensive Management Plans** **Or We Will Customize a Plan for You!**

— Monthly Responsibilities for Your Community —

FULL SERVICE

1. Negotiate and complete all new and existing leases, resident information sheets, addendum clauses, etc. If owner wants all residents to have a new lease agreement, owner is responsible for the cost of copying and mailing the agreements.
2. Review all rental prospects through established criteria.
3. Handle all resident communications, including complaints, suggestions, rules notifications, overdue rents, rent increases, rule violations, etc.
4. Resident emergencies will be handled on a 24 hour/7 day basis.
5. Collect all rents and timely deposit of same in a dedicated property checking account.
6. Pursue all delinquent accounts and attend District Justice Hearings.
7. Conduct periodic on-site visits and enforce all community rules and regulations in legal accordance with PA Act 261.
8. Arrange and supervise employees and outside contractors to perform regular maintenance and leasing work for the property.
9. Solicit bids for lawn care, snow removal and maintenance/emergency work as authorized and approved by owner of community. Follow up for on-time satisfactory completion of all contracted services.
10. Pay all bills for the community, subject to owner review, if desired.
11. Provide a computerized monthly accounting of income and expenditures. Owner will be provided with copies of actual bills, and bank statements.
12. Work diligently and make every reasonable effort to maintain occupancy and fill any community vacancies through normal advertising channels, mobile home dealer contacts and other methods of self-promotion. All promotional move-in incentives will be submitted for prior approval by owner.
13. Provide owner with a written, detailed monthly report on the property including but not limited to: move ins/outs, resident notification, unusual activity, etc.
14. Newsletters can be sent to residents on a monthly or quarterly basis. Owner is responsible for the cost of preparation and cost of postage for the newsletters.

FULL SERVICE WITHOUT BOOKKEEPING

1. Negotiate and complete all new and existing leases, resident information sheets, addendum clauses, etc. If owner wants all residents to have a new lease agreement, owner is responsible for the cost of copying the agreements.
2. Review all rental prospects through established criteria.
3. Handle all resident communications, including complaints, suggestions, rules notifications, overdue rents, rent increases, rule violations, etc. (Owner would give us a report on delinquent accounts.)
4. Resident emergencies will be handled on a 24 hour/7 day basis.
5. Pursue all delinquent accounts and attend District Justice Hearings.
6. Conduct periodic on-site visits and enforce all community rules and regulations in legal accordance with PA Act 261.
7. Arrange and supervise employees and outside contractors to perform regular maintenance and leasing work for the property.
8. Solicit bids for lawn care, snow removal and maintenance/emergency work as authorized and approved by owner of community. Follow up for on-time satisfactory completion of all contracted services.
9. Maintain occupancy and fill any community vacancies through normal advertising channels, mobile home dealer contacts and other methods of self-promotion. All promotional move-in incentives will be submitted for prior approval by owner.
10. Provide owner with a written, detailed monthly report on the property including but not limited to: move ins/outs, resident notification, unusual activity, etc.
11. Newsletters can be sent to residents on a monthly or quarterly basis. Owner is responsible for the cost of preparation and cost of postage for the newsletters.

A. HUNTER
PROPERTY MANAGEMENT, INC.

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Over 35 Years Experience in the Industry

Professional Property Management



Specializing in Manufactured Home Communities

A. Hunter Property Management provides the highest standard of professional management services thoroughly and efficiently through the competence and technical knowledge of our staff. Our primary objective is to maximize return on your investment using years of experience and expertise, and a sophisticated approach to property management.

Objectives

- Provide a service to owners which will free them of the work load involved with running an investment property
- Maintain a clean, smooth operating, profitable property
- Ensure a pleasant community residents will appreciate

Advantages for the Owner

- Experienced and Dependable Service
- Well Maintained Property
- Satisfied Residents
- Informed Owners
- Freedom of Owning
- Employees have PHC Designation

Services

- Coordinate Property Maintenance Including: utilities, lawn care, snow removal, etc.
- Improvement Projects
- Rent collection, payment of property bills
- Monthly Income and Expense Reports
- Owner/Resident Communications
 - Routine "On-Site" Inspections
 - Rule Violation/Enforcement
 - Represent Owners at Related Hearings
 - Emergency Service Hotline 24 hrs/day, 7 days/wk
- Maintain Occupancy
- Keep Owners Informed of Changing Legislation with Proactive Involvement

For More Information Contact...

A. Hunter Property Management

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eMail: info@ahunter.com • Website: www.ahunter.com



Member PMHA, Institute of Property Management, SOHO, Lebanon Valley Chamber of Commerce, Manufactured Housing Institute, Small Business Association, NAR, LCRA, PA Real Estate Broker, Realtor

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Be Wise
and let us handle
your hassles!



While a great deal of care has been taken to provide accurate and current information, the ideas, suggestions, general principals and conclusions presented in this letter are subject to local, state and federal laws and regulations, court cases and any revisions of same. The reader is thus urged to consult legal counsel regarding any points of law – this publication should not be used as a substitute for competent legal advice.

Member PMHA, Institute of Property Management, SOHO, Lebanon Valley Chamber of Commerce, Manufactured Housing Institute, Small Business Association, NAR, LCRA, PA Real Estate Broker, Realtor