

**THE STATE OF NEW HAMPSHIRE**  
**BOARD OF MANUFACTURED HOUSING**

**In re: The Medvil Association**  
**Petition for Declaratory Judgment**

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**Docket No. 00X-01**

**RULING ON PENDING MOTION AND REVISED ORDER**

The Board of Manufactured Housing (“the Board”) makes the following orders in the above-referenced matter.

**MOTION FOR REHEARING OF PETITION FOR DECLARATORY JUDGMENT**

1. The Board DENIES Jimmie D. Purselley, President, The Medvil Association’s request for a rehearing.
2. On its own motion the Board hereby revises its Order with respect to the Petition for Declaratory Judgment of the Medvil Association as follows:

**REVISED ORDER**

3. Pursuant to RSA 205-A:27 I, the Board has jurisdiction to “hear and determine matters involving manufactured housing rules...”
4. The Board views this grant of authority as limited to the consideration and resolution of actual disputes between tenants and management in manufactured housing parks.
5. The Board does not dispute that the Medvil Association is a legal entity under RSA 292, RSA 293 and/or RSA 301-A but the Board has no authority to grant a declaratory ruling from those statutes.
6. The Board reaffirms its prior rulings and consistent interpretation of its rules insofar as the Association asserts independent standing to appear before the Board. The Board has long interpreted its governing statute and rules to suggest that its statutory function is the

resolution of a specified set of disputes between manufactured housing park tenants and management. In this context, tenants may appoint any person to be their representative before this Board, including, but not limited to individuals associated with a tenants association. However, because associations are not tenants, we have consistently ruled that they do not have standing to appear independently before the Board to bring actions unrelated to specific disputes between individual tenants and management

7. In this case, the Medvil Association does not assert that it represents any individual tenant with respect to a particular and actual dispute before the Board for the purpose of seeking a declaratory ruling. Therefore the Association lacks standing to appear before the Board for the purpose of seeking a declaratory ruling.

WHEREFORE, the Board DISMISSES the Petition For Declaratory Ruling on the grounds that the Association lacks standing to appear before the Board in this instance; and the Board is without authority to grant the declaratory relief sought in the Petition.

**SO ORDERED**

**BOARD OF MANUFACTURED HOUSING**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kenneth R. Nielsen, Esq., Chairman

**Members participating in this action:**

Kenneth R. Nielsen, Esq.  
George Maskiell  
Florence E. Quast  
Sherrie Babich-Strang  
Rep. Warren Henderson  
Ashton E. Welch

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Jimmie D. Purselley, President, The Medvil Association, 87 Williams Way, Goffstown, NH 03045-6215

Dated: \_\_\_\_\_

\_\_\_\_\_  
Anna Mae Twigg, Clerk  
Board of Manufactured Housing

**BOARD MEMBERS CONCURRENCE**

**Docket 00X-01, The Medvil Association Petition for Declaratory Judgement**

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ASHTON E. WELCH

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REP. WARREN HENDERSON

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KENNETH R. NIELSEN, ESQ.

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GEORGE E. MASKIELL

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FLORENCE E. QUAST

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SHERRY BABICH-STRANG

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