

THE STATE OF NEW HAMPSHIRE

BOARD OF MANUFACTURED HOUSING

Janet L. Josselyn)	
)	Docket No. 009-96
v.)	
)	
Sherwood Forest Mobile Home Park)	
(Daniel and Michael Britton))	

Complaint Review conducted in Public Session on August 13, 1996

Order

The Board of Manufactured Housing (“the Board”) issues the following Order with respect to the Complaint of Janet L. Josselyn (“the Complainant”):

1. Ms. Josselyn (“Complainant”) raises two issues for consideration by the Board. First, she asks this Board to order the management of Sherwood Forest Mobile Home Park (“Sherwood Forest MHP”) to install street signs at the entrance to the park’s main entrance and at the end of her roadway. Second, she asks the Board to order management to hook up an existing lamp post standing on the margin of her lot site to her home.

2. With respect to the Complainant’s request for installation of street signs, the complaint simply does not state a cause of action cognizable by the Board or within the Board’s statutory jurisdiction and the Board is unable to grant the relief requested. See RSA 205-A:27,I. (Supp. 1995). That statute limits the Board’s jurisdiction to matters involving specified park rule provisions, RSA 205-A:2 (1994), security deposit violations RSA 205-A:7 (1994), and mandatory purchase requirements, RSA 205-A:8 (1994). Because issues relating to the installation and placement of street signs are not addressed by the rule provisions at issue in RSA 205-A:2, the Board rules that it is without jurisdiction to address Complainant’s signage issue.

3. Therefore, the Complainant’s request that the Board order management to install street signs within the park is DISMISSED.

4. With respect to Complainant's request that the Board order management to establish a hook-up from the outside lamp to her manufactured housing unit, the Board has reviewed both the Complaint and associated materials and the Respondent's Response and associated materials. On the basis of that review, the Board concludes that this issue is controlled by its prior decision in the matter of Lafayette Road Associates (Ellen M. Walker) v. Hillcrest Estates (Theresa M. Desfosses, RLD & AMD Revocable Trusts), and is appropriate for summary disposition on the basis of the documents presented.

5. In that case, the Board ruled that, under RSA 205-A:2(IX), management's responsibility for electrical systems does not generally extend to the frame or interior of a manufactured housing unit. Rather, management is generally responsible for provision of electrical service (and maintenance and repair of systems) up to the tenant's housing unit. Hook-ups of electrical wiring from park systems to a manufactured housing unit, on the other hand, are the responsibility of the tenant.

6. Here, Complainant seeks hookup of an outside lamp post to her home. Respondent asserts, and there appears to be no dispute, that the lamp post has been installed by management. Therefore, the Board rules that, on the facts presented, management is under no duty to provide the remaining connection of the lamp to the Complainant's unit. Therefore, Complainant's request that the Board order park management to connect an outside lamp to her unit is DENIED and the Complaint is DISMISSED.

A decision of the Board may be appealed by either party by first applying for a rehearing with the Board within twenty (20) business days of the clerk's date below, not the date this decision is received, in accordance with Man 201.27 Decisions and Rehearings. The Board shall grant a rehearing when: (1) there is new evidence not available at the time of the hearing; (2) the Board's decision was unreasonable or unlawful.

SO ORDERED, this day of August, 1996

BOARD OF MANUFACTURED HOUSING

By: _____
Beverly A. Gage, Chairman

Members participating in this action:

Beverly A. Gage
Leon Calawa Jr.
Rosalie F. Hanson
Jimmie D. Purselley
Florence E. Quast
Eric Rodgers

CERTIFICATION OF SERVICE

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Janet L. Josselyn, Daniel and Michael Britton, Sherwood Forest Mobile Home Park and Scott T. Ober, Esq., Britton and Douglas Professional Corporation.

Dated: _____

Anna Mae Mosley, Clerk
Board of Manufactured Housing

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