

THE STATE OF NEW HAMPSHIRE
BOARD OF MANUFACTURED HOUSING

Ronald P. Allard

Complainant

Docket No. 006-01

Jean T. Howe and

Pine Knoll Village

Respondents

Hearing held on August 15, 2001 at Concord, New Hampshire.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Board of Manufactured Housing ("the Board") makes the following findings of fact and conclusions of law and issues the following order in the above-referenced matter.

PARTIES

- 1) Ronald P. Allard ("Complainant") is, or was at all times relevant to this matter, a lawful tenant of the Pine Knoll Village manufactured housing park located in Dover, NH.
- 2) Jean T. Howe is, or was at all times relevant to this matter, the owner of the Pine Knoll Village manufactured housing park.

ISSUE PRESENTED

- 3) Complainant seeks a determination by this Board with respect to the following issue:

That Respondent's demand that he sell or otherwise dispose of a pet that Complainant asserts he possesses with the knowledge and approval of the park owner and/or park managers.

PROCEDURAL STATUS

- 4) The hearing in this matter was scheduled for August 15, 2001 and notice thereof was provided

to all parties. Shortly before the scheduled hearing the Board received a voice mail message from Respondent Jean Howe stating that Complainant could keep the pet in question, thus resolving the dispute.

- 5) At the scheduled hearing time, Complainant was in attendance and prepared to go forward. Ms. Howe did not attend the scheduled hearing.
- 6) A recording of the voice mail message received by the Board was played into the record of the Board's proceeding.
- 7) As a result of this information, the Board will accept the submissions of the Complainant as uncontroverted and so makes the following findings of fact and law:

FINDINGS OF FACT

- 8) When Complainant purchased his home in Pine Knoll Village, all documents were signed by the park manager Patti Clark as owner Jean Howe's authorized agent, indicating that decision-making authority is granted to park managers.
- 9) Complainant's pet dog was approved by park manager Bob Burleigh sometime after September 1994 and the pet dog has remained in the home of the Complainant since that time.

CONCLUSIONS OF LAW

- 10) Accordingly, the Board finds that the Complainant had and has permission to keep the pet in question.

CONCLUSION AND ORDER

WHEREFORE, Complainant's request for relief is GRANTED and Respondent is hereby ORDERED to cease demanding that Complainant sell or otherwise dispose of the pet in question.

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.

ORDERED, this ____ day of _____, 2001

BOARD OF MANUFACTURED HOUSING

BY: _____

Ken Nielson, Esq., Chairman

Members participating in this action:

Stephen J. Baker
Rep. Warren Henderson
Rep. Robert J. Letourneau
Kenneth R. Nielson
Florence E. Quast
Linda J. Rogers
Sherrie Babich-Strang
Ashton E. Welch

CERTIFICATION OF SERVICE

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Ronald P. Allard, 81 Pine Knoll Village, Lee, NH 03824-6652, and Jean T. Howe, P. O. Box 1024, Dover, NH 03820.

Dated: _____

Anna Mae Twigg, Clerk
Board of Manufactured Housing

BOARD MEMBERS CONCURRENCE

**Ronald P. Allard v. Jean T. Howe and Pine Knoll Village Docket 006-01
CASE**

STEPHEN J. BAKER

REP. WARREN HENDERSON

REP. ROBERT J. LETOURNEAU

KENNETH R. NIELSEN, ESQ.

FLORENCE E. QUAST

LINDA J. ROGERS

SHERRY BABICH-STRANG

ASHTON E. WELCH

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