

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

<b>Mary and Andrew Stout</b>	)	
<b>and</b>	)	
<b>Ms. Regina Snuffer</b>	)	<b>Consolidated</b>
<b>“Complainant”</b>	)	<b>Docket Nos. 001-01</b>
	)	<b>002-01</b>
<b>v.</b>	)	
	)	
<b>George Hast and Sherryland, Inc.</b>	)	
<b>“Respondent”</b>	)	

**Hearing on Motions held on August 15, 2001 and continued until October 15, 2001, at  
Concord, New Hampshire.**

**RULING ON PENDING MOTIONS AND REVISED ORDER**

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

**APPLICATION FOR REHEARING OF FINDINGS OF FACT AND RULINGS OF LAW  
AND ORDER PURSUANT TO RSA 205-A:28 II**

1. The Board DENIES Respondent’s request for a rehearing.

**MOTION TO DISSOLVE INJUNCTION FORTHWITH.**

2. In Stephen Hynes, as Trustee for Holiday Acres Joint Venture Trust d/b/a Holiday Acres Mobile Home Park v. Karen D. Hale & a. ( \_\_\_NH\_\_\_, decided June 22, 2001), the Supreme Court held that the Board has no authority to issue injunctive relief.
3. Consequently the Board revises it’s Order dated May 30, 2001 (hereinafter “Original Order”) to remove any reference to enjoining the Respondent and any such injunctive relief by the Board is hereby vacated.
4. The Board therefore revises it’s Original Order as follows below:

**“ORDER<sup>1</sup>**

1. The Board DECLARES unanimously that Respondent’s attempts to deny Complainants the benefit of the incentive allowance established by Park Rule XX on the basis of their practice of doing laundry in their homes is unreasonable for reasons cited in the Original Order.
2. The Board DECLARES unanimously that Respondent’s attempts to assert any late fee, or serving any demand for rent, or notice to quit or from commencing any eviction action, or taking any other action against the Complainants based on their failure to comply with the Notices of denial of incentive discussed in this Order is unreasonable for reasons cited in the Original Order.
3. The Board DECLARES unanimously that though nominally phrased as a Notice to Quit dated July 30, 2000 Respondent’s attempt to require removal of the Complainant’s manufactured housing units from their present site is a clear and direct violation of RSA 205-A: 2 III for reasons cited in the Original Order.”
5. All findings of fact, conclusions of law and orders not inconsistent with these revisions are hereby reaffirmed.

**SO ORDERED**

**BOARD OF MANUFACTURED HOUSING**

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

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

**Members participating in this action:**

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

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<sup>1</sup> While the Board has no authority to issue injunctive relief, the Board unanimously determines that if it had such authority that this would be a proper case to exercise such authority.

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Mary and Andrew Strout, Heather Schultz, Esquire, NH Legal Assistance, Regina Snuffer, George Hast and Charles Russell, Esquire, counsel for George Hast, Sherryland Park, Inc.

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

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

**BOARD MEMBERS CONCURRENCE**

**Docket 001-01, Mary & Andrew Strout, & Docket 002-01, Regina Snuffer v. George Hast  
and Sherryland Park, Inc.**

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**CASE**

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STEPHEN J. BAKER

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REP. WARREN HENDERSON

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REP. ROBERT J. LETOURNEAU

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KENNETH R. NIELSEN, ESQ.

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FLORENCE E. QUAST

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LINDA J. ROGERS

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SHERRY BABICH-STRANG

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ASHTON E. WELCH

OrdStrout-Snufer Oct. 15, 2001 001-002-01.doc