

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

<b>Ms. Dawn Melanson</b>	)	
<b>Complainant</b>	)	
	)	<b>Docket No. 009-01 &amp; 009-01-A</b>
<b>v.</b>	)	
	)	
	)	
<b>Mr. Lawrence Olson</b>	)	
<b>Olson's Mobile Home Park</b>	)	
<b>Respondent</b>	)	

**Hearing held on October 15, 2001, at Concord, New Hampshire.**

**FINDINGS OF FACT**

1. The Complainant had a signed purchase and sale agreement on her home in Olson's Mobile Home Park..
2. The conversation between Mr. Olson and the potential Buyer, Mr. Rocha, about the requirement to replace the oil tank and siding and the probable need to move the home from the Park due to highway expansion was verified by the real estate agent.
3. Mr. Rocha said that he withdrew his offer to purchase the home, because of Mr. Olson's requests made during the interview.
4. Mr. Rocha did not submit the required rental application information requested by Mr. Olson.
5. Complainant paid an entrance fee of \$650 in 1989, and claimed that there were no services rendered.
6. The Complainant signed a General Release dated November 16, 2001, purportedly releasing the Respondents of any claims against them. The Complainant subsequently asserted to the Board by letter dated November 26, 2001, that she signed the release under duress.

### **CONCLUSIONS OF LAW**

1. There was no violation of RSA 205-A:2 (II) because Mr. Olson did not withhold approval for the sale of the home to Mr. Rocha.
2. There was no violation of RSA 205-A:2(III) because Ms. Melanson did not allege that Mr. Olson require her to remove her mobile home unit from the Park.
3. There was no violation of RSA 205-A:2 (I) because the filing of the complaint was beyond the NH 3-year statute of limitations..
4. With regard to the validity of the General Release, no new complaint has been filed with the Board. Therefore, the Board declines to rule on this issue.

### **CONCLUSIONS AND ORDER**

The Board does not feel that any specific prohibitions of RSA 205-A:2 have been proven to be violated, therefore, the Board has voted to dismiss these complaints.

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.

**BOARD OF MANUFACTURED HOUSING**

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

**Members participating in this action:**

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

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Dawn Melanson, P. O. Box 371, Pelham, NH 03076, Mr. Lawrence Olson, P. O. Box 777, Hudson, NH 03051 and Philip R. Currier, Esq., 221 Main St., P. O. Box 482, Nashua, NH 03061-3482.

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

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

**BOARD MEMBERS CONCURRENCE**

**Dawn Melsonson v. Lawrence Olson, Olson' Mobile Home Park, Docket 009-01 & 009-01-A**

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STEPHEN J. BAKER

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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) KEITH

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ASHTON E. WELCH

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