

THE STATE OF NEW HAMPSHIRE  
BOARD OF MANUFACTURED HOUSING

Richard Filion )  
"Complainant" )  
 )  
v. ) Docket No. 16-03  
 )  
Salem Manufactured Homes, LLC/ )  
Hillcrest at Portsmouth, LLC )  
"Respondent" )

Hearing held on March 11, 2016, at Concord, New Hampshire.

**DECISION AND ORDER**

The Board of Manufactured Housing ("the Board"), scheduled a hearing on this date regarding complaint filed by the home owner, Richard Filion ("Complainant") of a manufactured home which is situated at 322 Dolphin Drive, Portsmouth, New Hampshire, alleging that Salem Manufactured Homes, LLC/Hillcrest at Portsmouth, LLC ("Respondent") has violated RSA 205-A:2 II; II (f); II(g); and IV. Said hearing was scheduled at the Board's meeting of February 12, 2016, with notice of the same mailed to each party on February 19, 2016 by the Board's Clerk.

**FINDING OF FACT**

Complainant, Richard Filion, was not in attendance when the hearing was called to order.

Respondent, Mr. Glenn Gidley of Salem Manufactured Homes, LLC/Hillcrest at Portsmouth, LLC, and Attorney Thomas Morgan (Respondent's counsel) were present.

Accordingly, the Complainant was found to be in **DEFAULT**, and the Complaint is hereby **DISMISSED**.

**OTHER MATTERS**

A motion/request was made by Attorney Morgan that his client be awarded "costs" for expenses incurred with regard to the complaint.

**RULINGS OF LAW**

1. The Board has authority under RSA 205-A:27 to hear and determine matters involving manufactured housing park rules, specifically RSA 205-A:2, RSA 205-A:7, and RSA 205-A:8.
2. RSA 205-A:27, I-b. "If a park owner promulgates a park rule which the board finds unreasonable as applied to the facts of a specific case, but such rule does not violate any provision of RSA 205-A:2, I-X, no damages, civil penalty, or attorney's fees shall be awarded to the tenant notwithstanding the provisions of RSA 205-a:12, 205-A:12-a, 205-A:13-a, or 358-A".
3. There is no statutory language authorizing the Board to award attorney's fees or other expenses as requested.

**SO ORDERED**

**BOARD OF MANUFACTURED HOUSING**

By: 

\_\_\_\_\_  
Peter Graves, Vice-Chairman


**Members participating in this action:**

Peter J. Graves, Vice Chair  
Lois Parris  
Robert Hunt, Esq.  
Judy Williams  
Rep. Franklin Sterling  
Kenneth Dame

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Richard Filion, 205 Granada St., Camarillo, CA 93010; and to Thomas Morgan, Esq. PO Box 627, Salem, NH 03079, and Glenn Gidley, Hillcrest at Portsmouth, LLC, 72 South Broadway, Salem, NH 03079.

Dated: May 18, 2016 5-18-16

  
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Rick Wisler, Clerk  
Board of Manufactured Housing