

**AGENDA ITEM #8  
MARCH 21, 2022**

**DISCUSS PROPOSED TOWN VALUES STATEMENT**

Attached is a memo from the Town Administrator regarding the development of the Town of Lakeville Statement of Values.



**TOWN OF LAKEVILLE**  
**Town Administrator's Office**

346 Bedford Street  
Lakeville, MA 02347  
(508) 946-8803

March 14, 2022

**TO:** Lakeville Select Board  
**FROM:** Ari J. Sky  
**SUBJECT:** Statement of Values

I am pleased to present the Town of Lakeville Statement of Values for your consideration. This document was developed over several meetings by the Town's leadership team, facilitated by Katie Gilfeather from AllOne Health EAP, the objective being to develop a core set of statements that define the organization's values and operative priorities. The department heads worked collaboratively during the process to identify five key words:

- **Respect:** the creation of a professional environment grounded in civility, cooperation and trust.
- **Integrity:** the application of truthfulness and moral principles to organizational behavior.
- **Teamwork:** working together in a manner that strengthens the organization.
- **Accountability:** accepting ownership of services, valuing transparency and accepting responsibility.
- **Continuous Improvement:** a commitment to learning, adaptation and process improvement.

The development of a Town values statement is another step forward in our continuing efforts to apply organizational management practices to municipal operations. This document will be utilized as a basis to encourage positive behavior, to inform future job descriptions and as a prerequisite for the development of strategic goals and objectives to identify priorities for department operations and ongoing resource decisions.

The Statement of Values will be on the March 21<sup>st</sup> agenda for discussion. In the meantime, please do not hesitate to reach out if you have any questions or comments. Thank you for your consideration.

# Town of Lakeville

## Statement of Values

*We strive to conduct the public's business in a manner consistent with the responsibility with which we have been entrusted and the values that guide our work on behalf of the people of Lakeville.*

**Respect:** We create a professional environment grounded in civility, cooperation, and trust in order to develop meaningful and productive working relationships with our colleagues and the residents we serve. We are committed to the courteous and considerate treatment of all people and to cultivate an atmosphere of teamwork and exemplary service.

**Integrity:** We are honest and have strong moral principles. We value truthfulness in each other's actions and aspire to consistently do the right thing.

**Teamwork:** We work together in the most effective and efficient manner, combining our individual strengths to enhance our performance. We achieve our common goals by supporting and encouraging each other with trust, tolerance and self-awareness.

**Accountability:** We accept ownership of the services delivered to our community, the operation of our government and the facilitated outcomes. We believe accountability is all about transparency and accepting responsibility.

**Continuous Improvement:** We are committed to continual learning, adaptability and process improvement. We will improve processes, handled challenging projects and help the town take bold steps into the future.

**AGENDA ITEM #9  
MARCH 21, 2022**

**DISCUSS REQUEST FROM TWIN COACH ESTATES  
HOMEOWNER'S ASSOCIATION FOR RENT INCREASE**

Twin Coach Homeowner's Association has approached the Town regarding a capital improvement project for Twin Coach Estates, which will result in a Rent Increase. They are looking to repave roads and fix sidewalks.

Please see the Town Administrator's email regarding this. Also attached is an email from Gregg Corbo and an email from John Goldrosen from 2016 about the procedure to repeal the Rent Control Board.

Other documents for your review are an email from the Twin Coach Treasurer; the Town's Rules and Regulations for Mobile Home Park Accommodations, Rents and Evictions; minutes from the Twin Coach Homeowners' Association Annual Meeting; a Property Condition Assessment Report from Hogan Associates and an estimate from Asphalt Services for the proposed capital improvement.

## Tracie Craig-McGee

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**From:** Ari Sky  
**Sent:** Tuesday, March 15, 2022 2:39 PM  
**To:** Lia Fabian; Richard LaCamera; Lorraine Carboni  
**Cc:** Tracie Craig-McGee  
**Subject:** Rent Control Board  
**Attachments:** Lakeville Rent Control Bylaw: repeal procedure; RE: Rent Control Board; Road Pavement Estimate - Approved Contractor.pdf; Hogan Report - Including Road Conditions and Capital Improvement.pdf; Annual Meeting Minutes Approved.pdf

Boardmembers –

The March 21<sup>st</sup> agenda includes an item regarding a request from Twin Coach Estates to increase rent in order to fund a capital assessment. As you know, the Town adopted a bylaw in 2008 that imposes rent control for manufactured housing communities, of which Twin Coach Estates is the sole development that qualifies. The development, which is now governed by a homeowners' association, has approached the Town for authorization to proceed with a capital improvement plan that would be funded by a special monthly assessment of \$25.

As the Rent Control Board does not currently have any members, we have approached Town Counsel to determine the best way to proceed. Gregg Corbo's response (attached) and my follow up conversations indicate that the Select Board can act as the Rent Control Board in the short-term. However, a decision should be made as to whether the Select Board desires to retain the Rent Control Board, which would require the appointment of three members, or to propose elimination, which would involve the submission of an article to Town Meeting.

I have attached information regarding the policy question for your review in advance of Monday's meeting. As you will note from the association's 9/18/21 annual meeting minutes (page 3), the Twin Coach community has already voted to accept the \$25 assessment. Thank you for your consideration, and please let me know if you would like to discuss.

### **Ari J. Sky, ICMA-CM**

Town Administrator  
Town of Lakeville  
346 Bedford Street  
Lakeville, Massachusetts 02347  
[asky@lakevillema.org](mailto:asky@lakevillema.org)  
(508) 946-8803



## Tracie Craig-McGee

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**From:** Gregg J. Corbo <GCorbo@k-plaw.com>  
**Sent:** Monday, March 14, 2022 2:22 PM  
**To:** Ari Sky; Tracie Craig-McGee  
**Subject:** RE: Rent Control Board

Hi Ari and Tracie. I recommend the following article:

To see if the Town will vote to amend the Town's General Bylaws by deleting the bylaw entitled "Manufactured Housing Communities Rent Control Bylaw" in its entirety, or take any other action relative thereto.

Gregg J. Corbo, Esq.  
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**From:** Ari Sky <asky@lakevillema.org>  
**Sent:** Monday, March 14, 2022 10:04 AM  
**To:** Gregg J. Corbo <GCorbo@k-plaw.com>; Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>  
**Subject:** RE: Rent Control Board

Gregg –

Thanks, this is very helpful. We're going to bring the issue to the Select Board's March 21 meeting. Could you draft an article to repeal the bylaw?

**Ari J. Sky**  
Town Administrator  
Town of Lakeville  
346 Bedford Street  
Lakeville, Massachusetts 02347  
[asky@lakevillema.org](mailto:asky@lakevillema.org)  
(508) 946-8803



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**From:** Gregg J. Corbo <[GCorbo@k-plaw.com](mailto:GCorbo@k-plaw.com)>  
**Sent:** Friday, March 11, 2022 5:28 PM  
**To:** Ari Sky <[asky@lakevillema.org](mailto:asky@lakevillema.org)>; Tracie Craig-McGee <[tcraig-mcgee@lakevillema.org](mailto:tcraig-mcgee@lakevillema.org)>  
**Subject:** RE: Rent Control Board

In the short term, I recommend that the Select Board appoint itself as the rent control board and then vote on the proposed rent adjustment. Going forward, I recommend that the Rent Control Bylaw be deleted since it appears that it is no longer needed. Please let me know if you would like to discuss.

-Gregg

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**From:** Ari Sky <[asky@lakevillema.org](mailto:asky@lakevillema.org)>  
**Sent:** Thursday, March 10, 2022 3:04 PM  
**To:** Gregg J. Corbo <[GCorbo@k-plaw.com](mailto:GCorbo@k-plaw.com)>; Tracie Craig-McGee <[tcraig-mcgee@lakevillema.org](mailto:tcraig-mcgee@lakevillema.org)>  
**Subject:** RE: Rent Control Board

Gregg –

I'm unclear from your response whether the capital improvement being proposed by the association requires approval by the rent control board. Can you clarify? Also, bear in mind that the board is inactive and has no current members, so anything we can do you facilitate a vote (Select Board in the rent control board's stead?) would be welcome. Thanks.

**Ari J. Sky**  
Town Administrator  
Town of Lakeville  
346 Bedford Street  
Lakeville, Massachusetts 02347  
[asky@lakevillema.org](mailto:asky@lakevillema.org)  
(508) 946-8803



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**From:** Gregg J. Corbo <[GCorbo@k-plaw.com](mailto:GCorbo@k-plaw.com)>  
**Sent:** Wednesday, March 9, 2022 6:08 PM

**To:** Tracie Craig-McGee <[tcraig-mcgee@lakevillema.org](mailto:tcraig-mcgee@lakevillema.org)>

**Cc:** Ari Sky <[asky@lakevillema.org](mailto:asky@lakevillema.org)>

**Subject:** FW: Rent Control Board

Hi Tracie. Prior communications concerning the applicability of the rent control law to a resident-owned complex are attached and below. Please let me know if there are any further questions.

-Gregg

Gregg J. Corbo, Esq.

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**From:** Gregg J. Corbo <[GCorbo@k-plaw.com](mailto:GCorbo@k-plaw.com)>

**Sent:** Wednesday, November 17, 2021 4:02 PM

**To:** Tracie Craig-McGee <[tcraig-mcgee@lakevillema.org](mailto:tcraig-mcgee@lakevillema.org)>

**Cc:** Ari Sky <[asky@lakevillema.org](mailto:asky@lakevillema.org)>

**Subject:** RE: Rent Control Board

Hi Traci. When this last came up a few years ago, we opined that the Rent Control Bylaw applies to a manufactured housing community owned by the residents (See attached). In fact, it appears that in 2015, the Homeowners Association followed the procedure in the bylaws prior to implementing a rent increase. I took another look at the bylaw and special act, and it does not appear that there is any language that exempts tenant-occupied facilities. Please let me know if there are any further questions in this regard.

-Gregg

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**From:** Tracie Craig-McGee <[tcraig-mcgee@lakevillema.org](mailto:tcraig-mcgee@lakevillema.org)>

**Sent:** Wednesday, November 17, 2021 10:19 AM



**To:** Gregg J. Corbo <[GCorbo@k-plaw.com](mailto:GCorbo@k-plaw.com)>

**Cc:** Ari Sky <[asky@lakevillema.org](mailto:asky@lakevillema.org)>

**Subject:** Rent Control Board

Hi Gregg,

Ari asked me to reach out to you about the Rent Control Board.

We have a mobile home community, Twin Coach Estates, that is now owned by the people that live there. They have formed a homeowner's association. The association has reached out to us about a potential rent increase next year due to improvements being made at the park.

We are looking to find out if the Rent Control Board still has jurisdiction now that the former tenants own the park.

Thanks!

*Tracie Craig-McGee  
Executive Assistant - Board of  
Selectmen & Town Administrator  
Town of Lakeville  
346 Bedford Street  
Lakeville, MA 02347  
508 946-8803*

## Tracie Craig-McGee

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**From:** John J. Goldrosen <JGoldrosen@k-plaw.com>  
**Sent:** Tuesday, July 5, 2016 1:47 PM  
**To:** Rita Garbitt (rgarbitt@lakevillema.org)  
**Cc:** Gregg J. Corbo  
**Subject:** Lakeville Rent Control Bylaw: repeal procedure

Dear Ms. Garbitt:

You have requested advice on the appropriate procedure to eliminate manufactured-housing rent control in Lakeville. In my opinion, the Town may end rent control by placing an article on a Town Meeting warrant to repeal the Manufactured Housing Communities Rent Control By-Law (“By-Law”) that was adopted by the Town in 2008.

As you know, the By-Law was enacted in response to concerns about the potential for rent increases at the only manufactured housing community (i.e., mobile home park) in Lakeville, Twin Coach Mobile Home Estates (“Twin Coach”), which was then privately-owned. Subsequently, the residents of Twin Coach formed a homeowner’s association and purchased Twin Coach from its private owners. As a result, Twin Coach became a resident-owned community, which is operated by a board of directors elected by the homeowners. Nonetheless, with the By-Law still in effect, it is necessary for the Twin Coach homeowner’s association to apply to the Town Rent Control Board for approval of any general rent increases. Given the change in ownership structure and the degree of control that the Twin Coach residents now have to make decisions on financing and improvements, the mechanism for Town-administered rent control appears to no longer be needed.

Municipal rent control for manufactured-housing communities must be authorized by the Legislature through the approval of a special act, which allows the municipality to enact rent control by adopting a by-law. In the case of Lakeville, rent control was authorized by Chapter 269 of the Acts of 2006 (“Act”). The Act stated that the Town “may, by its by-laws” establish a rent control board to regulate rents, control evictions, and otherwise make rules and regulations governing the management of manufactured housing communities in the Town. In response to the adoption of the Act, the Town voted to adopt the By-Law at a Special Town Meeting on December 8, 2008. The By-Law was approved by the Attorney General on March 30, 2009.

In my opinion, the Act did not itself impose manufactured-housing rent control in the Town: rather, the Act authorized the Town to adopt the By-Law for that purpose. Therefore, it is my opinion that the Town may eliminate rent control for Twin Coach by repealing the By-Law. (In other words, it is not necessary to request that the Legislature pass another special act to authorize the repeal of the By-Law, in my opinion.)

For that purpose, I suggest the following as the text of an article for a future Town Meeting:

“To see if the Town will vote to repeal the Manufactured Housing Communities Rent Control By-Law, and to dissolve the Rent Control Board that has been established pursuant to said By-Law, or take any other action relative thereto.”

Please feel free to contact Gregg Corbo or me, if you have any further questions concerning this matter.

Very truly yours,

John J. Goldrosen

***Kopelman and Paige is now KP | LAW***

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## Tracie Craig-McGee

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**From:** Lisa Cordeiro <linky9@verizon.net>  
**Sent:** Thursday, February 24, 2022 2:57 PM  
**To:** Tracie Craig-McGee  
**Cc:** rev.cordeiro@verizon.net; bevans19@verizon.net; patsycappy4@gmail.com; jrriedl@aol.com; Twincoach2014@outlook.com; jbrady@cdi.coop; jeff@Bristolsouth.net  
**Subject:** Rent Control Board - Town of Lakeville  
**Attachments:** Annual Meeting Minutes Approved.pdf; Hogan Report - Including Road Conditions and Capital Improvement.pdf; Road Pavement Estimate - Approved Contractor.pdf; TCEHOA Bylaws.pdf

Hello Tracie,

Thank you very much for your time today; it was a pleasure meeting you! As the Treasurer of, and on behalf of, the Board of Twin Coach Estates Home Owners Association, Inc., (TCEHOA) and its members (owners), I'm sending this email to serve as a request to go before the Rent Control Board, if necessary. As I mentioned, we are a resident-owned community. I have copied the TCEHOA Board members on this email. They are as follows:

Bob Cordeiro, President, rev.cordeiro@verizon.net  
Bruce Evans, Vice President, bevans19@verizon.net  
Patricia (Patsy) Cappiello, Secretary, patsycappy4@gmail.com  
Judy Riedl, Operations Manager, jrriedl@aol.com

I am also copying our representatives Jason Brady from CDI (member-owned business development and management) and Jeff Newbeg from Bristol South (financial management).

Per our discussion today, my understanding is that you are going to speak with the Town Administrator next Tuesday (hopefully), to discuss the following:

1. If a quorum of the members (owners) of TCEHOA has already approved a rent increase to support a Capital Improvement Plan item (new roads), does TCEHOA still have to go before the Rent Control Board? (please see the attached Meeting of the Minutes from the Annual Meeting on September 18, 2021, and the attachment of the current bylaws which speak about the quorum).
2. If we have to go before the Rent Control Board, what (additional) documentation is required for a Capital Improvement Plan project? (please see the attached Estimate of our chosen bidder, and a copy of the Hogan Report which speaks about the poor condition of the roads, which have since really deteriorated). This is an emergent situation, as the conditions of our roadway(s) are quickly and continuously deteriorating at a rapid pace. If we need to go before the Board, we would appreciate an expedient date, if at all possible.

If you have any questions or need any additional information, please feel free to contact me @ (508) 965-0808. I would appreciate receiving an email confirming that you received this email. Thank you, again, for your time, and I look forward to hearing from you soon.

Sincerely,  
Lisa Cordeiro  
Treasurer  
TCEHOA, Inc.

**TOWN OF LAKEVILLE  
RULES AND REGULATIONS FOR MOBILE HOME PARK  
ACCOMMODATIONS, RENTS, AND EVICTIONS**

In accordance with Chapter 269 of the Acts of 2006 and the Mobile Home Park Rent Control Board By-Law adopted by Special Town Meeting held on May 8, 2006 by the Town of Lakeville, after hearing in accordance with Mass. Gen. Laws, Chapter 30A, Sec. 2, the Mobile Home Park Rent Control Board hereby adopts the following rules and regulations for the purpose of regulating rents, standards, and evictions in mobile home parks within its jurisdiction.

**Section 1 – Definitions:**

- A. Board:** The Mobile Home Park Rent Control Board was established by Article 22 of the Annual Town Meeting held on May 8, 2006.
- B. Capital Improvements:** Any substantial rehabilitation, addition or improvements which appreciably adds to the value of the property or prolongs its life or both, but not including ordinary repairs and maintenance.
- C. Mobile Home:** A dwelling unit built on a chassis and containing complete electrical, plumbing, and sanitary facilities, and designed to be installed on a temporary or permanent foundation for permanent or temporary living quarters.
- D. Mobile Home Park:** A park licensed by the Board of Health pursuant to Mass. Gen. Laws, Chapter 140, Sec. 32B
- E. Mobile Home Park Accommodations:**
  - 1. The lot or space in a Mobile Home Park upon which is located a Mobile Home not owned by the holder of the license of said park and used and occupied as a one family dwelling unit.
  - 2. A Mobile Home owned by the licensee of a mobile home park and used and occupied by a Tenant as a one family dwelling unit.
- F. Housing Services:** Services or facilities provided by an Owner or required by law or by the terms of a rental housing agreement to be provided by an Owner to a Tenant in connection with the use and occupancy of any mobile home park accommodation, which may include without limitation: Services, furniture, furnishings and equipment, repairs, decorating and maintenance, provisions of light, heat, hot water, cold water, telephone, kitchen, bath and laundry facilities and privileges, use of yard and other common areas, janitor service, refuse removal, parking facilities, and any other benefit, privileges or facility connected with the use or occupancy of any mobile home park accommodations. Housing services for a mobile home park accommodations shall include a proportionate part of services provided to common facilities of the Mobile Home Park in which the mobile home park accommodation is contained.

- G. Owner:** The individual who holds a license granted pursuant to Mass. Gen. Laws, Chapter 140, Section 32B, to conduct, control, manage or operate directly or indirectly a mobile home park in any manner including, but not limited to, a partnership, corporation or trust; as construed herein, the rights and duties of the Owner hereunder shall be the obligation of anyone who manages, controls or customarily accepts rent on behalf of the Owner.
- H. Operating and maintenance expenses:** The reasonable expenses of operating and maintaining a mobile home park including, but not limited to, maintenance, repair, management fee, real estate broker's commission to someone other than the Owner, insurance, utilities not included within the rent, but not including mortgage interest and amortization or an allowance for obsolescence or depreciation.
- I. Rent:** The consideration; including any bonus, benefit, gratuity or charge contingent or otherwise, demanded or received for or in connection with the use or occupancy of a mobile home park accommodation or for housing services or for the transfer of a lease of a mobile home park accommodation, exclusive of the tax collected by the Owner and paid to the Town under Mass. Gen. Laws, Chapter 140, Sec. 32G; excluding therefrom, however, the consideration paid by a shareholder of a Cooperative Housing Corporation organized pursuant to Massachusetts General Laws Chapter 157B for a share of said corporation, a propriety lease, and any maintenance fees associated therewith.
- J. Rental Housing Agreement:** An agreement between an Owner and a Tenant for use and occupancy of a mobile home park accommodation and/or housing services, specifically excluding, however, any agreement for occupancy of a mobile home park accommodation between a Cooperative Housing Corporation as a defined in Massachusetts General Laws Chapter 157B and a shareholder of said corporation.
- K. Tenant:** A tenant, lessee, or other person entitled under the terms of a rental housing agreement with the Owner for the use and occupancy of any mobile home park accommodation; excepting for this definition, however, any person who occupies a mobile home park accommodation pursuant to a proprietary lease as defined in Massachusetts General Laws Chapter 157B at Section 4, as a shareholder of a Chapter 157B Cooperative Housing Corporation.
- L. Fair Market Value:** Fair Market Value of property shall mean the current assessed valuation of the property or other valuation that the Board on basis of evidence presented before it considers more appropriate to the circumstances of the case before it. The Board shall evaluate all evidence presented by any party regarding the fair market value.
- M. Fair Net Operating Income:** Fair net operating income shall be that income which all yield a return, after all reasonable operating expenses, on the fair market value of the property, equal to the debt service rate for similar-type property generally available from institutional first mortgage lenders or other rates of return that the Board on the basis of evidence presented before it considers more appropriate to the circumstances of the case. The Board shall evaluate all evidence presented by any party regarding the fair net operating income.

**Section 2 – Maximum Rent:**

The maximum rent of a mobile home park accommodation shall be the rent charges as of the date of May 8, 2006. If the mobile home park accommodation was unoccupied at that time, the maximum rent shall be the rent charged for a similar accommodation on May 8, 2006. No rent adjustment of any mobile home park accommodation shall be effective without prior approval of the Board after proceeding as set forth in Sections 3 and 4 herein.

**Section 3 – Registration:**

The Board shall require registration of all mobile home park accommodations on forms approved by it within 90 days of the approval of these regulations. Any new or additional accommodation must be registered prior to occupancy thereof. No petition for an upward adjustment of maximum rent shall be accepted by the Board until all statements and information required to be filed under this Section 3 have been filed and any such petition prior to such filing shall not be entertained by the Board. The Board shall require the following:

1. The legal name, address and business telephone of the owner;
2. The identification of each unit;
3. The legal name, address and business telephone of the manager;
4. The identification of each Tenant in the mobile home park, including the date the tenancy began the date on which it terminates, or whether it is a tenancy at will, and the amount of rent due each month;
5. The lot type, if necessary, to distinguish different types of lots for which the owner charges different rents, including the description of the basis(es) for charging the rent differential;
6. A copy of the rental agreement and any rules and regulations applicable to the tenancy. The owner shall update the registration annually by June 30<sup>th</sup> of each year.

The registration forms shall be signed by the Owner under the penalties of perjury.

**Section 4 – Adjustment of maximum rent:**

- A. The Board shall, by order or regulation as provided in Section 5, make such individual or general adjustments, either upward or downward, of the maximum rent established by Section 2 for any mobile home park accommodation as may be necessary to remove hardships, correct inequities for both Owner and Tenant, and make adjustments for capital improvements / equipment and in so doing shall observe the principal of maintaining rents at levels which will yield to Owners a fair net operating income for such mobile home park accommodation.
- B. The Board by regulation may establish further standards and rules consistent with the foregoing. The Board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.
- C. Notwithstanding any other provision of this section, the Board may refuse to grant an upward adjustment of maximum rent if it determines that the affected mobile home park accommodation does not comply with the State Sanitary Code or the Town of

Lakeville Code or any other applicable code, ordinance or state law regulating the conditions of housing accommodations, and if it determines that such lack of compliance is due to the failure of the Owner to provide normal and adequate repairs and maintenance. The Board may refuse to make a downward adjustment of maximum rent if it determines that the Tenant is more than thirty (30) days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of Section 8A of Chapter 239 of the General Laws or if the Tenant is in substantial violation of any enforceable rule of the mobile home park or if the Tenant is in violation of any laws or ordinances which protect the health and safety of other mobile home park residents.

### **Section 5 – Rent Adjustment Proceedings:**

- A. Individual Adjustment of Maximum Rent.** The Board shall consider an adjustment of rent for an individual mobile home park accommodation upon receipt of a petition for adjustment filed by the Owner or Tenant of such mobile home park accommodation or upon its own initiative. Such petition shall be made on a form approved by the Board. The Board shall notify the Owner, if the petition was filed by the Tenant, or the Tenant, if the petition was filed by the Owner, of the receipt of such petition and of the right of either party to request a hearing in writing within thirty (30) calendar days of receipt of such notice or the Board may schedule a hearing on its own initiative. If a hearing is timely requested by either party or if the action is undertaken on the initiative of the Board, notice of the time and place of the hearing shall be furnished to the Owner and Tenant and the hearing shall be conducted before the Board. The Board may consolidate petitions and actions relating to mobile home park accommodations in the same mobile home park, and all such petitions and actions may be considered in a single hearing.
- B. General Adjustment of Maximum Rent by Regulation.** Upon application or petition by an Owner or Tenant, the Board may make a general adjustment by percentage or otherwise of the rental levels for mobile home park accommodations subject to such conditions, if any, as the Board shall determine in accordance with the By-law. Prior to making such adjustment, a public hearing shall be held before the Board. Notice of the time, place, and purpose of such hearings shall be published at least once in a newspaper having a general circulation in the Town, and posted in the Town Hall, both not less than seven (7) days prior to such hearings.
- C. Limitation of Petition for Individual Adjustment.** Notwithstanding any other provision of this section, the Board may, without holding a hearing, refuse to adjust the maximum rent for an individual mobile home park accommodation and may dismiss any petition for adjustment if a decision has been made with regard to the maximum rent for such mobile home park accommodation with twelve (12) months or if the Board finds that the petition for adjustment is filed for purposes of harassment or for other purpose not intended herein.
- D. Hearing, conducted pursuant to Section 5 above shall be conducted as adjudicatory hearings in accordance with the provision of Massachusetts General Laws Chapter 30A, Sections 10, 11 and 12. Rules and procedures for the conduct of said hearings shall be those rules and regulations outlined in 801 CMR 1.00 et seq. for the conduct**



of adjudicatory hearings before State administrative agencies, which the Board hereby adopts and shall implement as its own rules and regulations for the conduct of adjudicatory proceedings. Within thirty (30) days of the filing of Petitions, the Board shall meet and determine whether to proceed on such Petition pursuant to the formal or informal rules as outlined in 801 CMR 1.00 et seq. or under other procedures and shall indicate its determination as to which rules and procedures shall be followed in its notice of agency action to affected parties, and in the public notice of said hearing.

- E. All decisions made by the Board under this Section shall be rendered in writing within 30 days from the date the Board closes the public hearing on the petition.
- F. The Lakeville Mobile Home Park Rent Control Board shall levy a filing fee upon any and all parties that make application to request a rent adjustment for a mobile home accommodation. The filing fee for any individual rent adjustment requested pursuant to Section 5 of these rules and regulations shall be \$50.00. The filing fee for a general rent adjustment pursuant to Section 5B of these regulations shall be \$10.00 per unit for which a general adjustment is requested. In addition, a check for \$100.00 shall be issued, to cover advertising costs. The above filing fee shall be paid by check or money order made payable to the Town of Lakeville and presented upon the filing of the petition to the Town Clerk.

#### **Section 6 – Incorporation of Administrative Procedure Act and 801 CMR 1.00**

The provisions of Massachusetts General Law Chapter 30A including those provisions giving agencies the power to issue, vacate, modify, and enforce subpoenas shall be applicable to the Board as if said Board were an agency of the Commonwealth, as well as, those provisions relating to judicial review and agency order. The rules and regulations at 801 CMR 1.00 et seq. as adopted by the Secretary of Administration for Massachusetts for application and use by state agencies for the conduct of both formal and informal adjudicator hearings shall be the rules and regulations and procedures adopted for use before The Lakeville Mobile Home Rent Control Board for the hearing of all petitions for rent adjustment, and for eviction, unless at the time of the filing of the petitions and before the notice of agency action shall be published, the Board shall by vote determine to use an alternative procedure which nonetheless shall be consistent with the provisions of Massachusetts General Laws Chapter 30A, Section 10, 11, and 12.

#### **Section 7 – Capital Improvements and Capital Equipment Rent Adjustment**

##### **A. Pre-Approval**

A park owner or management may file a petition for the purpose of obtaining pre-approval from the Board for an increase in maximum rent to offset the cost of a substantial and necessary capital improvement or purchase of capital equipment. The procedures set forth in Section 7 above for individual rent adjustment petitions shall be used for capital improvement or capital equipment petitions. The park Owner or Management shall file with the petition for pre-approval any and all information relating to the cost of and need for financing the capital improvement or capital equipment purchase. Any pre-approval given by the Board shall also be deemed an approval of such financing. The Board shall consider whether the improvement is necessary and the reasonableness of the cost of the improvement in considering a rent

increase to support the cost of the improvement. The rent increase shall be conditioned upon satisfactory and final approval of the improvement.

**B. Final – Approval**

Upon completion of capital improvement or purchase of capital equipment for which a park owner or management has received pre-approval, the Board may give final approval of the increase in maximum rent(s). Final approval shall only be given by the Board upon submission of satisfactory evidence by the park owner or management that the capital improvement has been satisfactorily completed or the capital equipment has been purchased and that the costs incurred for such improvement are equal to or exceed the cost upon which pre-approval was given. In the event that such costs are less than the original estimated costs, the maximum rent shall be increased only to the extent that it reflects such costs. The Board shall hold a public hearing upon submission by the park owner or management of evidence of completion of the capital improvement.

**Section 8 – Conference of Jurisdiction**

The Plymouth Division of the District Court Department shall have original jurisdiction concurrently with the Superior Court, of all petitions for review brought pursuant to Section 14 of Chapter 30A of the General Laws. The Superior Court shall have jurisdiction to enforce Chapter 269 of the Acts of 2006 of the Town of Lakeville General By-Laws and may restrain violations thereof.

**Section 9 – Information to be supplied in Connection with Petitions for Adjustment:**

Upon receipt by the Board of a petition for adjustment of maximum rent, the Board may request documents, which information may include but not be limited to:

- A. Reviewed Financial statements for the three (3) years preceding the filing of the Notice of Claim; such statement should clearly set forth income, sources of income, and a detailed breakdown of operating expenses.
- B. An interim updated financial statement showing income and operating expenses for the current year.
- C. A complete and current balance sheet.
- D. A statement of the number of employees, job titles and descriptions of any employee whose employment relates to the affected mobile home park.
- E. Current capital improvements and dates of completion.
- F. Proposed capital improvements and proposed dates of completion.
- G. Proposed budget for the year in which the increase is to be effective.
- H. A statement of the rate of return sought and the assessed valuation of the property.

In any case where the Owner seeking an upward adjustment in rent owns and operates more than one mobile home park, all financial documentation submitted shall pertain solely to the operation of the mobile home park for which the upward adjustment is sought.

Upon receipt by the Board of a petition for a downward adjustment of maximum rent, the Board may request documents which information may include but not be limited to:

- A. Written reason for such downward adjustment; and
- B. Any evidence financial or otherwise, supporting such downward adjustment.

**Section 10 – Evictions:**

- A. Pursuant to the provisions of Massachusetts General Laws, Chapter 140, Section 32J, as amended, no Owner shall bring an action to recover possession of a mobile home park accommodation unless;
  - 1. the Tenant has failed to pay the rent to which the Owner is entitled; or
  - 2. the Tenant is in substantial violation of an enforceable rule of the mobile home park; or
  - 3. the Tenant is in violation of a law or ordinance which protects the health or safety of other mobile home park residents; or
  - 4. there is a discontinuance in good faith by the Owner of the use of part or all of the land owned and licensed as a mobile home park subject to any existing contractual right between the Owner and the Tenant located in the mobile home park. No such discontinuance shall be valid for any mobile home sold by the licensee and for which a mobile home site was made available at the time of the said sale by the licensee for a period of five (5) years from the date of said sale.
- B. The Owner must provide the Board with satisfactory evidence that all notice requirements as to any alleged violation have been provided to the Tenant in a timely manner and the Tenant has failed to cure the alleged violation in a timely manner, all as set forth in Massachusetts General Laws, Chapter 140, Section 32J as amended.
- C.
  - 1. An Owner shall file an application in duplicate for obtaining a certificate of eviction with a filing fee of \$50.00 for each unit for which eviction is sought. The fee shall be paid by check or money order made payable to the Town of Lakeville and presented at the time of filing the application for a certificate of eviction.
  - 2. An application for certificate of eviction shall be signed by the Owner under the pains and penalties of perjury and shall describe in complete detail the proposed basis (or bases) for eviction and the facts in support of such basis (or bases). A copy of the lease and the rules and regulations of the mobile home park Owner shall be submitted with the application where the Tenant is claimed to have violated either the lease or the park regulations.
  - 3. An application for certificate of eviction which fails to comply with the foregoing provisions of this paragraph “C” shall not be processed until such defects have been corrected or removed.
  - 4. The Board shall, by certified mail, return receipted requested, forward to the Tenant or Tenants listed on the application for a certificate of eviction and to the park Owner a copy of the application for a certification of eviction as received, together with a notice of the date, time and place of the hearing.

5. An application or an amended application for eviction shall be scheduled for a hearing not less than ten (10) days or more than 21 days from the date on which the notice of hearing is mailed as aforesaid by the Board to the parties. Hearings shall be conducted by the Board and shall be adjudicator hearings following the procedures set forth in Massachusetts General Laws, Chapter 30A.

6. A request for postponement of the hearing will be granted for good cause shown.

7. At the hearing the Owner shall have the burden of establishing the facts and basis for the eviction. Testimony shall be taken under oath and any party shall have the right to cross-examine witnesses of the other party and to introduce evidence in support of its position.

8. A written order granting or denying a certificate of eviction shall be issued by the Board within thirty (30) days of the date of the final hearing and its order denying a certificate of eviction shall be a defense in any summary process action commenced by the Owner against the Tenant or Tenants named on the application for a certificate of eviction.

**D.** An Owner who seeks to recover possession of a mobile home park accommodation without a certificate of eviction shall be deemed to have violated the Lakeville Mobile Home Park Rent Control By-Law.

**E.** The provisions of this section shall be construed as additional restrictions on the right to recover possession of a mobile home park accommodation. No provision of this section shall entitle any person to recover possession of such a mobile home park accommodation. Upon a decision of said Board concerning the granting or withholding of a certificate of eviction, either party concerned may appeal to the Plymouth County District Court or the Superior Court, Department of the Trial Court, Plymouth Division, within thirty (30) calendar days after such decision.

#### **Section 11 – Severability:**

If any provision of this regulation or the application of such provision to any person or circumstance shall be held invalid, the validity of other provisions or the application of such provision to other persons or circumstances shall not be thereby affected.

#### **Section 12 – Forms**

Any forms adopted pursuant to the provisions of these rules and regulations shall be submitted under the pains and penalties of perjury.

Twin Coach Estates Homeowner's Association, Inc Annual Meeting

September 18, 2021

Meeting Called to order at 11:13 AM

Members attending documented Members signatures on sign in sheet.

A moment of silence was held for those that departed since our last Annual meeting: Michael Cappiello, Louise Dube, and Rea Fernald

\* A quorum was confirmed from signatures of member on the sign in sheet of thirty (30).

Secretary's report from our last annual meeting in September 2019 was accepted as read,

Treasurer's report was accepted as read and is attached.

Operations report was accepted as read and is attached.

Membership committee annual report was read, accepted as read and is attached

Finance Committee annual report was read, accepted as read and is attached.

Sunshine Committee annual reports for 2019-2020 and 2020-2021 were read, accepted as read and are attached.

Social Committee annual report was read, accepted as read and is attached.

Nominations:

Robert Cordeiro is on the Ballot for the position of President

Patricia Cappiello is on the Ballot for the position of Treasure

Since there were no nominations from the floor for these positions the Secretary declares that Robert Cordeiro and Patricia Cappiello are elected to said positions,

Projections for Community:

- Please use office phone for communication with the Board of Directors unless it is an emergency.
- Twin Coach Estates will be using the Sale of Home Policy implemented in August beginning immediately.

- We are all paying more for everything these days, Cost of living is up about 5.3%. If our personal cost is going up so are Twin Coach Estates Homeowner's Association's, Inc.
- Our new office will cost us money to run and if we cannot make ends meet, we will have to raise rents.
- The Hogan Report, done at the time of refinancing, state that the conditions in our community were good. The property upkeep is moving in the right direction. This report also told us that there were some septic systems that may need to be replaced. A conservative cost of a septic system is \$23,000.00. Our roads were also addressed in this report, and they are not in good conditions. We have at the most, 2 years before the roads fail.
- We have encountered some serious water leaks over the past few years due to the use of materials that do not meet current codes being used by previous owners. The Board of Directors have decided that any leaks that come up will be completely replaced from the water source to the where the water enters the home..
- We have a new tree company that we are using for the trimming and cutting down of trees within our community. This tree company has a certified arborist on its team. The Board will abide by the arborist's suggestion as to what will be done concerning the trimming or cutting down of any tree. Please remember that the Association owns the land, not individual residents. The Board of Directors is responsible for making any decisions regarding the removal of trees. Residents will be notified of any work planned to be done on your lots.
- We have received bids to do our road of between \$198,000.00 and \$373,000.00 to repave our roads and sidewalks
- We would like to engage our social committee to engage more with our community. A request sheet could be sent by the social committee to the community to see what interests may be out there for Bus tours or anything just to get together and have fun.
- As a community we need to remember that preventive maintenance needs to be done. This can save us lots of money

#### Old Business:

The Board of Directors would like to take out a construction loan to repair roads and sidewalks within the community. It was noted that Edgeway Homeowner's

\* Association, Inc., according to our Shared Road Agreement, will pay one-sixth (1/6) of said roads and sidewalks. A motion was made for the repairs of road and sidewalks within Twin Coach Estates Homeowner's Association, Inc, at a cost of \$225,000.00. The motion was seconded. A vote was taken with twenty-seven (27) yes, and one (1) no. Motion passed.

#### New Business:

The 2021-2022 ROC approved budget was discussed. A question about the small amount of interest income was asked. It was pointed out that our accounts pay 1 to 1.5% interest.

A motion was made to accept the 2021-2022 budget as presented. Motion was seconded, and unanimously approve.

The possibility of a rent increase was discussed. It was noted that any rent increase would have to go before the Lakeville Rent Control Board at a cost of \$800.00 to Twin Coach Estates.

\* A motion was made to allow a rent increase as needed to meet monthly payments of a construction loan to complete the repairs of our roads and walkways. Rent increase will only be sought if needed and will not exceed \$25.00 per month. Motions was seconded and passed unanimously.

#### Open Forum

A resident objected to speed bumps, and it was pointed out that our bids do not include them.

Concerns about speeding within the community were brought up. A number of cars from Edgeway have been found to be driving over the twenty (20) miles per hour posted on Haskell Circle. A letter will be sent to Edgeway's Board of Directors requesting that they address this issue with their membership.

A member asked if the office could be used as a club house. The president pointed out that it costs the Association money every time we use the office. He would like 6 to 9 months to review what our costs are going to be and determine whether we will have to charge a fee to use the office as a club house. Other ROC communities are finding their costs are going up because of cleaning, keeping track of usage, and damage to the buildings.

It was noted that the COA offers many activities that members have to pay for.

A resident asked how often the septic systems within our community are pumped.  
We are on a three-year pumping schedule.

Please note that Board of Director's meeting are held on the 3<sup>rd</sup> Monday of the  
month at 4 PM.

Meeting adjourned at 1:12 pm.

Respectfully Submitted

Nancy Silvia

Secretary TCEHOA





**HOGAN ASSOCIATES**  
*Building & Environmental Consultants*

December 31, 2020

Mr. Bob Cordeiro  
Twin Coach Estates Homeowners Association  
P.O. Box 844  
Lakeville, MA, 02347

Re: Property Condition Assessment  
Twin Coach Estates  
Rhode Island Rd.  
Lakeville, MA

Dear Mr. Cordeiro:

At your request, Hogan Associates has completed a Property Condition Assessment for the above-referenced property. Please find enclosed the final report.

Thank you for asking Hogan Associates to perform this important service for you. If you have any questions regarding this report, please contact me at (508) 865-4360.

Sincerely,

Hogan Associates

Joseph Hogan  
Principal Consultant

Enclosure: Final Report

P.O. Box 426,  
Sutton, MA 01590  
508-865-4360



**HOGAN ASSOCIATES**  
*Building & Environmental Consultants*

## Property Condition Report

Prepared for:

Mr. Bob Cordeiro  
Twin Coach Estates Homeowners Association

Subject Property Location:

Rhode Island Rd.  
Lakeville, MA

Date Issued:

December 31, 2020

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## **FIGURE**

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## **APPENDICES**

Site Photographs
Supporting Documentation

## EXECUTIVE SUMMARY

Hogan Associates (“HA”) has performed a Property Condition Assessment (PCA) of a 64 site manufactured home community (MHC) located at Rhode Island Rd., Lakeville, MA, known as Twin Coach Estates Homeowners Association (the “Property”). The purpose of the assessment was to identify existing physical conditions, defects present, deferred maintenance items, and general conditions associated with infrastructure systems and site improvements to the Property.

### Scope

This PCA is based on a visual site reconnaissance, records review, and interviews with key personnel to determine the current physical condition of the Property. The systems and components assessed for this report were water distribution system, on-site septic systems, site drainage, landscaping, roads, utilities, and life & safety. General physical conditions of accessible systems and components, defects, deferred maintenance, recommendations to correct deficiencies, and opinions of expected probable costs are provided in this report.

### Findings

HA’s observations indicate overall fair to good condition of the subject property compared to similar properties and age of properties inspected by our firm. Significant upgrades, repairs, and improvements have been conducted within the past eight years. General maintenance and upkeep was observed to be good. However, several depreciated components within the Property subsequent to original construction were observed. Primary areas of depreciated components include some septic systems, overgrown trees, and road pavement nearing end of useful life.

### Conclusions

Our observations of depreciated components are considered preliminary, therefore, we recommend that you consult with professionals, engineers, repair contractors, service companies, and others to provide further analysis and specifications for exact nature and scope of required repairs as pointed out above and in this report and other repairs which may be required as determined through further investigation or the performing of work in progress, and to acquire firm bids for making such repairs or replacement. The above described findings along with other deferred maintenance items at the subject property are further discussed followed by conclusions and suggested actions which require repair, replacement, or further evaluation of components with estimated ballpark type costs for repairs

## PROJECT SUMMARY

This table displays estimated ballpark type costs over 10 years. The estimated costs are preliminary and are based upon Hogan Associates experience in conducting similar projects. The actual cost will be affected by factors such as project duration, site access, market conditions, and other contingencies applied by the owner(s). This project summary is not to be used alone. The attached report is intended to be read in its entirety. The following terms are used throughout this report for ratings and are defined as follows:

**Good:** Average to above-average condition for the system or component assessed, with consideration of its age, design, and geographical location. Generally, other than normal maintenance, no work is recommended or required.

**Fair:** Average condition for the system or component evaluated. Satisfactory, however some short term and/or immediate attention is required or recommended, primarily due to the normal aging and wear of the system or component, to return the system to a good condition. Future reserves for repair or replacement should be anticipated.

**Poor:** Below average condition for the system or component evaluated. Requires immediate repair, significant work or replacement is anticipated to return the system or component, or material to an acceptable condition.

Table ES 1 Project summary

Item	Good	Fair	Poor	Action*	Immediate Needs	Capitol Reserves**
Septic System		X		NM,RR		115,000
Water Distribution System		X		NM,RR		10,000
Storm Water Drainage	X			NM		
Electric	X			NM	6,000	
Roads		X		RR		240,000
Landscaping/Topo		X		IR,NM	14,000	28,000
Life/safety	X			NM		

\* Action: NM = Normal Maintenance, IR = Immediate Repair/Replacement, RR = Replacement Reserves, NA = Not

\*\* Un-inflated up to 10 years

Immediate and reserve summary	Term (yrs)	Un-inflated Costs	Total Expenses Adjusted Inflated
Immediate Repair and Deferred Maintenance Expenditures	0-2 yrs	\$20,000	N/A
Replacement Reserves	3-10 yrs	\$393,000	\$446,521

## 1.0 INTRODUCTION

Hogan Associates (“HA”) was retained by Twin Coach Estates Homeowners Association to conduct a Property Condition Assessment (PCA) of a 64 site manufactured home community (MHC) located at Rhode Island Rd., Lakeville, MA known as Twin Coach Estates Homeowners Association (the “Property”). This assessment was authorized on December 8, 2020 and performed in accordance with the proposal and scope of work for Property Condition Assessments. This PCA and report was prepared by Mr. Joseph Hogan, Principal, Hogan Associates.

In December 2020, Mr. Hogan (HA) conducted a site reconnaissance and inspection of the physical conditions of the Property and associated infrastructure and site improvements. HA’s investigation included a review of local and state government agencies, plans on file, compliance status with building departments, interviews with key personnel, site inspection of infrastructure systems, and cost estimations of recommended immediate and long term repairs and improvements for the Property.

### 1.1 Purpose

The purpose of this PCA was to observe and document accessible infrastructure, common building systems, and site improvements to assess the general conditions which may significantly affect the value of the property, and determine if conditions exist which may have a significant impact on the continued operation of the Property during the next 10 years.

### 1.2 Scope of Services

This PCA is based on a visual site inspection and assessment, records review, and interviews with key personnel to determine the current physical conditions of the Property. The systems and components assessed for this report were water distribution system, on-site septic systems, site drainage, landscaping, roads, utilities, and life & safety. General physical conditions of accessible systems and components, defects, deferred maintenance, recommendations to correct deficiencies, and opinions of probable cost are provided in this report. The PCA is conducted in general accordance with ASTM 2018-15.

### 1.3 Limitations

Due to physical and cost limitations inherent to this assessment, HA does not warrant that the Property is free of defects or all defects have been identified. As such, no absolute determination of conditions are made. No other warranties are implied or expressed. There is a possibility that even with the proper application of the PCA and assessment methodologies, there likely exists at the Property conditions that could not be identified within the scope of this assessment or which were not reasonably identifiable

or accessible from available information, site conditions, or interviews such as some underground septic system components and most water supply components. The findings, opinions, and conclusions presented in this report are based on the site conditions observed and information reviewed and recorded at the time of this assessment. The findings, conclusions, and recommendations presented in this report are based solely on the services described therein, and not on scientific tasks or procedures beyond the scope of agreed-upon services. This assessment is intended to reduce but not eliminate uncertainty and conditions with physical conditions at the Property. Photographs were taken to provide a record of general conditions of the facility, as well as the specific deficiencies observed. The PCA is not a building code, safety, regulatory or environmental compliance inspection. If any additional information is encountered concerning the facility, it should be forwarded to HA for re-evaluation of the assumptions, conclusions and recommendations presented herein. The recommendations and opinions of cost provided herein are for observed deficiencies based on the understanding that the Property will continue operating in its present use and classification. This PCA is not any form of assessment or inspection of individual manufactured home conditions. No assessment of electrical, structural, roofing, HVAC, fire/smoke/CO, etc. of individual homes is within the scope of this assessment.

#### **1.4 Use Reliance**

This report, both verbal and written, is for the benefit of Twin Coach Estates Homeowners Association and ROC USA Capital. This report has no other purpose and may not be relied upon by any other person or entity without the written consent of HA.

#### **1.5 Document Review and Interviews**

The following people and organizations were contacted and interviewed prior to and during the site visit and report preparation:

- Mr. Bob Cordeiro, Twin Coach President
- Mr. Bruce Evans, Twin Coach Board
- Annette Andrews, Lakeville Fire Dept.
- Fran, Lakeville Health Dept.
- Lakeville Building Dept.
- Prime Engineering



## **Documents**

- Pumping records and repair documents for septic systems, Prime Engineering and Logan Excavating
- Invoices and As-built plan for City Water Connection
- Taunton City Water Bills
- Google Maps
- FEMA Maps
- Lakeville Assessor Maps & Database

## 2.0 OVERALL GENERAL DESCRIPTION

The Property is a 64 site manufactured home community (MHC) known as Twin Coach Estates Homeowners Association. The address of the property is Rhode Island Rd., Lakeville, MA. The Property is located on the southerly side of Route 495. The Property is an over 55 community.

The Property consists of one site and is identified as Parcel ID F\_810495\_2782312 at the Assessor's office. The site consists of an irregular shaped parcel of land and a total of 46.5 acres.

### 2.1 Assessors Information

*Owner:* Twin Coach Estate

*Acreage:* 46.5 acres

### 2.2 Zoning

The Property is zoned residential

### 2.3 Overlay Districts

Several areas of wetlands were observed on the Property. A very small portion of the north western side of the Property is located in Zone A (100 year flood plain) and is within a flood zone according to the FEMA Flood insurance Rate Map number FM25023C0318k. No homes or yards are located within the flood zone.

### 2.4 Historical Information

The Property was initially developed around 1978. Previous use of property is not within the scope of this assessment.

### 2.5 Municipal Services

The property is connected to the municipal water supply. Electric and natural gas service is provided.

### 2.6 On-Site Services

On-site septic systems are present within the property.

## 2.7 Number of Homes

A total of 64 homes are present on the Property. No additional expansion is permitted.

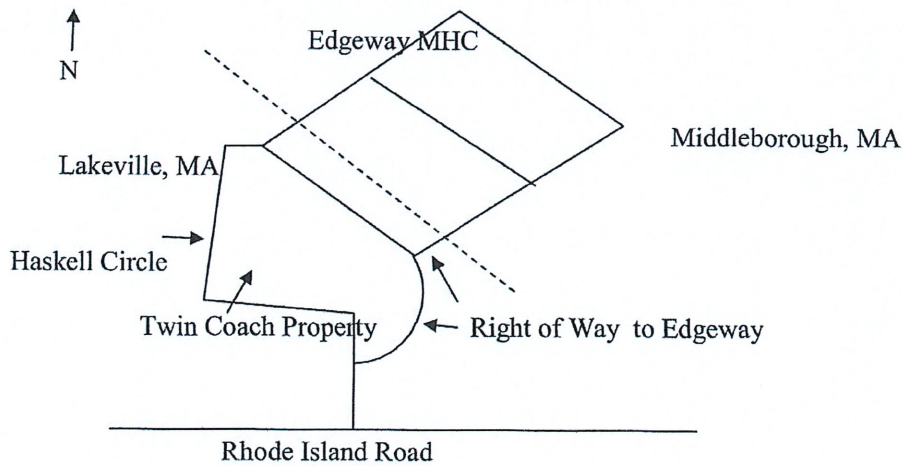
## 2.8 Common Buildings

No common buildings are present.

## 2.9 Site Description

The site consists of 46.5 acres of an irregular shaped parcel of land. The Property is relatively flat with mild sloping hills and adjacent to wetlands, Route 495, cranberry bogs, and railroad tracks. Approximately 50% of the Property is developed. One road entrance is present for the Property with access to Rhode Island Rd. A total of one circular road is present on the Property and labeled below in Fig. 2-1. A right-of-way is present for the neighboring Edgeway community for access to Rhode Island Rd. References to streets and location described in this report are based on this referenced map.

Fig 2-1: Property Road Map (not to scale)



### 3.0 INFRASTRUCTURE DESCRIPTION AND OBSERVATIONS

#### 3.1 On-Site Septic

##### *Description:*

There are 32 on-site sub surface sewage disposal systems on the Property. Every home within the Property has a 1,000 - 1,500 gal. concrete septic tank and PVC sewer lines connected to the soil absorption systems.

The soil absorption systems (SAS) are 500 to 1,000 gal. leaching "honeycomb" pits. Several systems are stone and pipe, and several recently repaired systems are chambered systems. The SAS are shared between 1-5 homes each within the property. Fourteen systems are single SAS for each home. Eight SAS are shared between 2 homes each. Eight SAS are shared between 3 homes each. Two SAS are shared between 5 homes each.

The septic tank covers are mostly to grade in each yard where access is possible for pumping and inspection. Most SAS components are below grade and not visible. SAS areas for the systems were inspected for back-ups, leaks, and break-out. Systems were originally constructed and installed approx. 1978 with some subsequent repairs and replacements.

The town of Lakeville Board of Health (BOH) has regulating authority of MA DEP laws and regulations for the on-site septic systems for the Property including inspections, pumping, repairs, replacements, and complaints. This assessment is not a Massachusetts Title 5 Inspection. Inspection of the Property's on-site systems was conducted to obtain an overall assessment of the current physical condition of the systems. The property in whole is considered a septic system with a design flow of less than 10,000 gpd based on MA Title 5 regulations. The design flow for the property is 9,600 gpd based on 150 gpd per home.

##### *Observations/Comments:*

#### **Inspection of Systems**

An assessment of the septic systems was performed by Hogan Associates in 2013 which determined 4 septic systems serving 9 homes were observed to be in poor condition and in hydraulic failure at that time. These systems are located at: 4, 6, 14, 39, 41, 53, 55, 57, 61, Haskell Circle. In 2016 these four systems were replaced with chambered leach fields. Inspection of these systems indicated good condition with no improper conditions observed.

Four septic systems serving 11 homes at 5,7,9,15,17,37,46,48,50,52, and 54 have been repaired or replaced within the property since 1990. These systems were also in good condition.

The remaining 24 on-site septic systems on the property were generally in fair condition. No breakout, backups, odors, distressed vegetation, resident complaints, or excessive pumping was observed or reported. The systems are generally in functional, serviceable and operable condition. However, these systems are original to the Property development (approx. 40 years) and are likely beginning to near the end of their expected useful life. We anticipate future repairs and replacement to some of these 24 systems within the next 2 to 10 years. The point in time of future system failures and system replacements will depend on maintenance, pumping, cleaning, operations, soils, groundwater, and topography. Some systems may last longer with proper operations and maintenance. We recommend initiate a reserve fund for replacement of approximately 4-6 septic systems on the property during the next 2-10 years.

The septic system leach field for 64, 68, 74, Lyn Ln, in the neighboring Edgeway MHC in Middleborough, MA is located on the Twin Coach subject Property. This system may require variances and/or easement.

Many septic tank covers previously inspected in 2013 were not properly secured to the septic tanks. These covers have been subsequently repaired and were in good condition at the time of this assessment.

No breakout or sewage odors were present in any system on the Property. The septic tanks were generally in good condition, with no leakage present, level tanks, baffles, and sewer pipes. Recommend maintain the current cleaning and pumping schedule of at least once every 3 years for each system. Recommend maintain ongoing yearly filter changes. Overall management, operations, and maintenance of the septic systems was observed to be good.

### **3.2 Municipal Water Supply**

#### *Description:*

The community's potable water distribution system begins at a meter pit located at the intersection of the main driveway for the community and Rhode Island Road. The water is distributed by a recently constructed 8" ductile iron pipe connected to the existing 6" PVC water mains located at the perimeter of the property and through the midsection of the property. Shut-off isolation gate valves are present to isolate street sections. These valves were not accessible. Individual lateral home connections are typically 1" 100 PSI black plastic pipe and low pressure irrigation pipe based on previous maintenance

repairs. Two fire hydrants are present in the community and connected to the main water distribution piping. Curb stop valves are present for each home connection.

#### Water Usage

Based on the most recent water records reviewed from the city of Taunton during the past year, average daily water usage was approx. 6,200 gpd which translates to approx 97 gpd for each home. This amount of water usage is considered normal usage and does not indicate excessive usage or ongoing leaks. However, the average does not include one month where excessive usage was reported due to a water leak at one lateral home connection.

Each home has a drilled 6" artesian well and are typically located at the rear side of each home. The wells are original to Property development. The wells have been discontinued for potable water. The pressure tanks for the wells are located in wooden sheds at the rear side of each home. Some of the wells are still used for lawn irrigation purposes only.

#### *Observations/Comments:*

Numerous upgrades and repairs have been conducted for the water distribution system at this community. The Twin Coach community was connected to the municipal water system in 2016. Documents reviewed include invoices and as built plans. Work included new 8 inch main water line with meter pit tied into existing 6 inch PVC water mains throughout the community. Work also included dismantling individual well tanks and adding new water shut offs for individual homes. Several leaks were incurred subsequent to initial water connection but have been resolved. Several isolated water leaks have occurred at lateral connections where inadequate low pressure plastic water service lines were present.

Inspection, interviews, and records review, indicate this water distribution system to be in overall fair to good condition. However, the presence of some remaining inadequate low pressure plastic water service lines to individual homes will likely have periodic leaks and subsequent repairs. We have included a reserve fund for several repairs during the next 10 years. We do not anticipate any major repairs to the main water distribution system for this community. Remaining useful life of this water distribution system with periodic repairs is over 20 years.

### **3.3 Stormwater Drainage**

#### *Description:*

Roads are drained by catch basins with sub surface drainage. A total of 15 catch basins are present on the property. The catch basins discharge to adjacent wooded areas. No detention basins or ponds were observed.

Approximately 140,000 s.f. of impervious road surfaces (asphalt roads and driveways) are present on the Property.

#### *Observations/Comments*

The overall condition of storm water drainage for the Property is good. Catch basins were observed to be operational and serviceable at the time of the assessment. Two catch basins were repaired last year and all catch basins were cleaned last year. No drainage problems were observed or reported for the Property. No washout, erosion, or standing water was observed. Interviews indicated no standing water and no problems.

### **3.4 Utilities**

#### *Description:*

Electric, telephone, and cable t.v. service is provided to the Property by underground lateral services in the roads of the Property. All homes are heated with natural gas. No oil tanks are present.

#### **Electric**

Each home is serviced with 100 amp electrical service. The electric meter and main shut offs are located outside each home.

#### *Observations/Comments*

No reported problems with power outages, flickering, or tripped breakers were reported. Several electrical disconnect panels which previously had heavy corrosion have been replaced during the past several years. Inspection of panels throughout the property indicated overall fair to good condition. Some minor corrosion was observed on several panels. No leaning, or improperly secured or supported meter panels were observed. No repairs or reserves are recommended at this time. However, we recommend yearly inspections of all electrical meter disconnects throughout the property and make any repairs as needed.

Inspection of several exterior electrical conductors, most notably around the wells, pump, and associated equipment at individual homes indicated some exposed and improperly secured wires, conductors, outlets, etc. We recommend a licensed electrician for further survey of all exterior electrical conductors and outlets associated with exterior rear side sheds and unused well and associated equipment. We provided a small reserve fund for any minor electrical repairs needed as described.

### **3.5 Roads**

#### *Description:*

Roads are constructed of base processed gravel and binder base coat and top coat of asphalt. Asphalt sidewalks and Cape Cod berms are present on the inside part of Haskell Circle.

The road widths vary slightly but typically range between 24' and 26' wide with a 3'-4' sidewalk. All homes have an asphalt paved driveway typically 400-450 s.f.

The Property consists of approximately 3,800 lineal feet and of roadway. The Property has one entrance and driveway with access to Rhode Island Road. This driveway along with Haskell Circle is a right of way for the neighboring Edgeway Community. No other access or egress is provided to the property.

Roads are drained by sub surface drainage with 15 catch basins, which discharge to adjacent wooded areas. Total area of impervious surfaces at the Property is approx. 135,000 s.f. including roads and driveways.

#### *Observations/Comments*

The overall condition of the roads is fair. One section of road was re-paved in 2017 with a thin top layer of asphalt. This section was in good condition but is pre-maturely showing some signs of cracking. Several other sections of the road have had small patch repairs during the past 8 years. The base gravels, road structures, and road grading was in good condition. However, moderate to heavy cracking and deterioration of the remaining asphalt is ongoing to the road surfaces. Asphalt sidewalks had heavy cracking and some damage in isolated areas with some trip hazards. Sidewalks are in poor condition. The remaining useful life of the asphalt road surfaces for the property is approximately 2-5 years. We have provided reserve funds for total re-pavement of the road surfaces and sidewalks.



### **3.6 Topography and Vegetation**

#### *Description:*

The landscape is relatively flat and gently slopes from the center of the Property to the south and west portions of the Property. Heavy vegetation and trees are present on the border and center section of the Property. The property is located on the southerly side of Route 495. No wetland areas were observed in the developed portion of the Property. Some wetlands were observed on the north and south sides of the Property. Several wooden and one stone retaining walls are located on the Property. The retaining walls hold back soils around the driveways and mild grades in front of several homes.

#### *Observations/Comments:*

Two wooden driveway retaining walls on number 38 and 34 which were previously in poor condition have been replaced and were observed to be in good condition. Other repairs to walls were conducted at numbers 36, 43, and 55.

Numerous areas of tree removal and tree trimming were observed throughout the property since the original assessment in 2013. Trees are trimmed and removed on an as needed priority basis. However, based on the amount of overgrown trees and vegetation on this property, further tree trimming and removal should be conducted on a yearly basis. Trees should be trimmed and removed on a priority basis, especially in areas where tree limbs are too close to homes or overhanging roofs. We have provided reserve funds for the next 6 years for ongoing tree trimming and removal as needed.

### **3.7 Life Safety**

#### *Description, Observations, Comments:*

#### **Street Lighting**

Street lighting is provided to the community by 16 overhead utility pole mound street lights. Street lighting in the entire community was in good condition. Upgrades to lamp posts have been made. No complaints were reported.

### **Fire Safety**

Two fire hydrants are located on the Property. According to property management, the fire hydrants are operational and are serviced and cleaned and flushed every six months. No fire cisterns are present or any other pond or tank for fire extinguishing purposes. The nearest Lakeville fire station is approx.3.2 miles from the Property at 346 Bedford St., Lakeville. Interview with the Lakeville Fire Dept. stated no safety or fire concerns at the property or ability to carry water and no concerns with the width of the roads or emergency access to all homes.

### **Road Safety**

Stop signs and speed limit signs are present on the Property. Streets are properly signed. Sidewalks are present at the Property. Lighting is good.

## 5.0 CONCLUSIONS

Our observations and findings indicate overall fair to good condition of major site work components. We observed the management, operations, and maintenance throughout the property to be in good condition. Numerous improvements, upgrades, and repairs have also been made to infrastructure components since 2013. Major improvements include connection to public water supply, several septic system repairs and replacements, road repairs, electrical repairs, retaining wall replacements, tree removals and trimmings, and a new dumpster area build-out. Our inspection of these improvements and repairs indicate good condition and satisfactory work.

Based on the age of several remaining large infrastructure components such as water distribution system, septic systems, road pavement, and overgrown vegetation, we have provided reserve funds for future repairs and some replacements of these depreciated components which are either beginning to near the end of their useful life or some repairs should be anticipated.

### 5.1 Recommendations

We recommend continue the good proactive management, operations, and maintenance for this property. We also recommend that you consult with engineer professionals, repair contractors, service companies, and others to provide further specifications for exact nature and scope of required future repairs and improvements as pointed out in this report and other repairs which may be required as determined through further investigation or the performing of work in progress, and to acquire firm bids for making such repairs or replacement.

We also recommend that you maintain the ongoing preventive maintenance program at the Property. The purpose of a preventive maintenance program is to: identify and document existing deferred maintenance issues; establish a proactive baseline of data for comparison to monitor Property conditions to predict and prevent infrastructure degradation; and provide marketable resident feature. Items included but not limited to a preventative maintenance program include the following:

- Proper operation, cleaning, and maintenance of the septic systems, including, filter replacements, pump operations inspections and cleanings, septic tank pumping, inspection of septic systems, etc. Public awareness program regarding improper material discharges to the septic systems.

- Monitor for water pipe leaks in the distribution system. Water connections to homes, heat tape, insulation, repair any leaks promptly, flushing hydrants.
- Tree cutting and trimming especially overhanging branches, leaning overgrown trees, landscaping, cleaning debris on Property, safety issues with priority.
- Cleaning of inside catch basins and around surface of catch basins and pipes to maintain proper storm water collection and discharge. Drainage swales should be kept clean and free of overgrown vegetation.
- Road, sidewalk, and curbing maintenance, sealing cracks, repair heaving, maintain signs, and pothole repairs.
- Street light repairs, sign replacements, painting of crosswalks.
- Periodic electrical disconnect and meter inspections, repair any problems immediately.
- Periodic Property inspection and written logs for unsafe conditions, and proper functioning and maintenance of all infrastructure on the Property.

## **5.2 Priority Repairs**

No immediate priority repairs were identified at the time of this assessment. However, tree limbs and branches too close to homes should be closely monitored and repaired on a continual basis.

## **5.3 Opinions of probable Costs**

Table 5-1 presents estimated ballpark type figures for repair and replacement costs for systems or components. Component repair costs are taken from industry accepted tables such as RS Means and HA's experience in conducting similar projects. Contractor's estimations, bids, or pricing were not obtained.

Actual unit component repair costs may be different than presented herein. It is necessary that you consult with service companies and repair contractors in respective categories to determine the exact scope of work for repairs and replacement and submit firm bids for making required corrections.

All quantities and areas quoted in this report whether used as a basis for developing costs or for other purposes are only approximate and cannot be relied upon as exact. Estimated costs will vary depending upon type and quality of materials selected for repairs and precise scope of works. The figures for cost estimates are approximate only. It is recommended that cost estimates be obtained from at least three service companies, contractors, qualified technicians, etc for each component requiring necessary repairs.

Table 5-1: Opinion of Probable Costs for Repairs

Component	Quantity/Area	Current Repair Cost (Un-inflated)
<b>Septic System</b>		
Reserve for future septic system repairs/replacement, nearing end of useful life	Reserve for 1 system replacement every 2 years, engineering, materials, construction	\$100,000 - \$130,000
<b>Water Supply</b>		
Reserve for periodic leaks	Approx 3- 4 isolated non-recurring leaks during the next 10 years	\$10,000
<b>Electric</b>		
Repair all exposed wiring for drilled artesian wells and equipment	All wells with exposed wires, improperly secured wires, improper conduit, exterior outlets, etc. near rear side sheds and wells, needs further assessment by electrician	\$4,000 - \$8,000
<b>Roads</b>		
Re-pave all road surfaces and sidewalks	Total re-pavement of asphalt roads and sidewalks	\$200,000 - \$280,000
<b>Topography</b>		
Tree trimming, thinning, removal	Numerous areas, priority, in areas of overhanging limbs or too close to homes	\$40,000 - \$50,000
<b>Total</b>		<b>\$354,000 - \$478,000</b>

#### 5.4 Capitol Improvement Plan

Table 5-2 presents estimated ballpark type figures for long term (up to 10 years) of anticipated repair or replacement costs for major systems. Component repair costs are taken from industry accepted tables such as RS Means and HA's experience in conducting similar projects.

Several probable costs not outlined in the table such as septic cleaning, drain cleaning, septic system maintenance and operations, snow plowing, operations, preventative maintenance, etc. should continue to be integrated into the comprehensive preventative maintenance program to extend life expectancy of major components and provide overall value to the property. The plan outlines expected future costs of infrastructure and major systems. It does not address costs such as: yearly budgets for management fees; landscaping, trash pickup, snow plowing, normal or ordinary repairs, pump repairs/replacement distribution cleaning and blow-off, etc.

Table 5-2: Capital Improvement Plan

Component	Quant	Unit Cost	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	total
Septic system replacement reserve	5	23,000			23,000		23,000		23,000	23,000		23,000	115,000
Reserve for periodic water dist. System leaks	4	2,500			2,500		2,500		2,500		2,500		10,000
Electrical repairs, exterior near well equipment	several	500	6,000										6,000
Re-pavement of roads and sidewalk	13.5k sf	1.78 sf			240,000								240,000
Tree cutting and removal	many		7,000	7,000	7,000	7,000	7,000	7,000					42,000
TOTAL un-inflated			13,000	7,000	272,500	7,000	32,500	7,000	25,500	23,000	2,500	23,000	413,000
Inflation Factor			1	1.025	1.051	1.077	1.10	1.13	1.16	1.19	1.22	1.25	
TOTAL adj Inflation			13,000	7,175	286,397	7,539	35,750	7,910	29,580	27,370	3,050	28,750	446,521

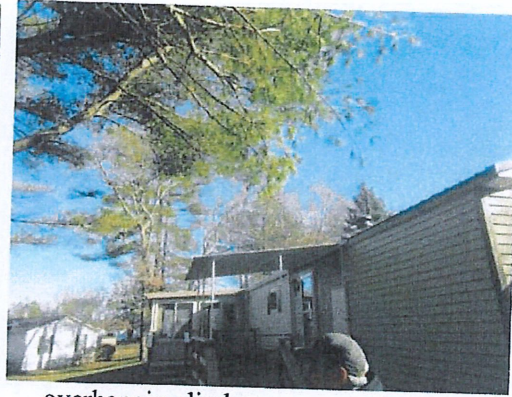
## **Appendices**

### **Site Photographs Supporting Documentation**





Repaired septic and covers



overhanging limbs



Repaired septic and covers



repaired retaining wall



Deteriorated sidewalk



typical artesian well, exposed wires



typical roads



typical catch basin



Repaired septic system



deteriorated road



Twin Coach



twin coach, new dumpster area



Water meter pit



water meter pit and meter, shut off



Replaced. Electrical meter panel



twin coach



Fire hydrant

**Asphalt Services LLC**  
 59 Pebblebrook Dr  
 Middleboro, MA 02346 US  
 7744066421  
 asphaltservicespaving@gmail.com

## Estimate

**ADDRESS**

Twin Coach Estates Hoa  
 Haskell Cir  
 Lakeville

**ESTIMATE #** 1361

**DATE** 12/13/2021

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
	paving	Sawcut and pulverize 1530 x 24 road way Remove all loose asphalt Fine grade roadway for correct slope Vibratory compact subbase Machine lay "commercial grade road top and compact with new asphalt berms Seal edges with tack \$78,700 1530 ' on new walkway Mill/grind and remove loose asphalt walkways Fine grade and vibratory compact subbase Lay new finish walkways and compact \$12,500 Section 2: (900x24) \$48,600 Walkway 900' \$8,000 Section 3: (600x24) \$36,000 Walkway 600' \$6,500 Walkway 900' \$8,000	1	0.00	0.00

*\$ 198,300.00*

**TOTAL**

**\$0.00**

Accepted By

Accepted Date