

Mobile-home park will convert to family facility

By LANE WALLACE
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An Aptos mobile-home park that had been designated "over 62" has agreed to become a family park to settle a lawsuit.

Owners of Blue Pacific, a 101-space park on Mar Vista Drive, settled in federal court Friday, said Mark Hasey, attorney for plaintiff Jane McDonough, of Aptos.

Hasey and partner Will Constantine, who have offices in Santa Cruz, have made a number of successful challenges on mobile-home park age limits in Santa Cruz and other counties.

The age limits have become an issue because homeowners have found it difficult to sell their coaches with the age restrictions and a depressed real-estate market.

McDonough brought the suit in May after trying unsuccessfully for eight months to sell the Blue Pacific home that had been owned by her mother, Anna Harrigal, who died in August 1992.

"I had very few (potential) buyers over 50," said McDonough, who lives in another mobile-home park in Aptos. In the meantime, she had to continue paying space rent for the vacant home.

Hasey said the park, owned by Bill Whittington, admitted selling to people under 62. That negated any claim the park could have to a 62-and-older restriction, Hasey said.

"They were picking and choos-

ing" who could buy, Hasey said. The settlement includes a \$10,000 payment to McDonough for "pain and suffering," plus attorney's fees. McDonough said costs for insurance and space rent for the last 14 months will eat up most of the \$10,000.

Blue Pacific is the second Santa Cruz County case Hasey and Constantine have won. Last year, a federal judge ruled that Alimur Mobile Home Park, in Soquel, did not provide enough services for the elderly to be considered a "55-and-older park" and bar anybody younger.

Hasey said he and Constantine have been arguing that few, if any, parks would provide enough services to qualify for the 55-and-older limitation. Simply having a clubhouse isn't enough, they said.

The law is different for 62-and-older housing. There's no requirement to provide facilities, but a park, or other housing complex can lose its special status if it permits anybody under 62. Hasey said he wouldn't have had a case if Blue Pacific had stuck to the 62 limit.

A number of mobile-home parks in Santa Cruz County have converted to family parks in the last two years, some on their own and some after getting one letter from Constantine and Hasey on behalf of mobile-home owners.

Hasey said he has several more cases pending in federal court.