



# MHOA-NJ BYLAWS

**Manufactured Homeowners of New Jersey By-Laws**  
**Adopted September 10, 2011**  
**Revised June 17, 2015, Adopted October 17, 2015,**  
**Revised November 9, 2020, February 2021,**  
**Adopted July 17, 2021**

<b>Article</b>	<b>Title</b>	<b>Page</b>	<b>Article</b>	<b>Title</b>	<b>Page</b>
<b>I</b>	<b>Offices</b>	<b>1</b>			
<b>II</b>	<b>Purpose</b>	<b>1</b>	<b>XIV</b>	<b>Nominations and Elections</b>	<b>9</b>
<b>III</b>	<b>Service Area</b>	<b>3</b>	<b>XV</b>	<b>Annual Meeting and Convention</b>	<b>9</b>
<b>IV</b>	<b>Membership</b>	<b>3</b>	<b>XVI</b>	<b>Notice of Members and Board Meetings</b>	<b>10</b>
<b>V</b>	<b>Membership Privileges and Responsibilities</b>	<b>4</b>	<b>XVII</b>	<b>Official Publication</b>	<b>10</b>
<b>VI</b>	<b>Chapters</b>	<b>4</b>	<b>XVIII</b>	<b>Rules of Order</b>	<b>10</b>
<b>VII</b>	<b>Chapter Privileges and Responsibilities</b>	<b>5</b>	<b>XIX</b>	<b>Books and Record</b>	<b>10</b>
<b>VIII</b>	<b>Dues and Assessments</b>	<b>6</b>	<b>XX</b>	<b>Non-Discrimination</b>	<b>10</b>
<b>IX</b>	<b>The Executive Board</b>	<b>7</b>	<b>XXI</b>	<b>Amendments</b>	<b>11</b>
<b>X</b>	<b>Powers of the Executive Board</b>	<b>7</b>	<b>XXII</b>	<b>Dissolution of Corporation</b>	<b>11</b>
<b>XI</b>	<b>Duties of Elected and Appointed Officials</b>	<b>8</b>	<b>XX III</b>	<b>Severability</b>	<b>11</b>
<b>XII</b>	<b>Standing Committees</b>	<b>8</b>		<b>APPENDIX</b>	<b>12</b>

**ARTICLE I - OFFICES: CORPORATE SEAL**

Section 1. Registered Office and Agent: The registered office of Manufactured Homeowners Association Of New Jersey, Inc. (hereafter, MHOA-NJ) shall be set forth in the Articles of Incorporation.

Section 2. Corporate Seal. MHOA-NJ shall have no corporate seal.

**ARTICLE II - PURPOSE**

Section 1. MHOA-NJ is formed exclusively for religious, charitable, scientific, and educational purposes, all within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as the same may be amended or modified or replaced by any future United States internal revenue law, and not for pecuniary profit.

Section 2. The specific purpose of this organization is educational. This organization will provide an effective voice for manufactured homeowners and other park residents to express their needs and concerns in the community. Through action and communication, this organization will serve as a vehicle to promote meaningful social change, protect their legal rights, and improve the quality of life in manufactured home parks. This organization will also work to promote residents' health, safety, and welfare and address issues affecting the quality of their housing. Our function is primarily that of an advocate, a proponent of the social changes that would improve the life of residents in our communities.

Section 3. Limit of Purpose and Activities: No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence elections, and the corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

Section 4. The MHOA-NJ shall have and exercise all rights and powers as are now, or may hereafter be, conferred on or exercised by nonprofit corporations under the Act, other laws of the State of New Jersey, or any other applicable laws, in furtherance of the MHOA-NJ's purposes, including, but not limited to the following:

- (a) To solicit the support of MHOA-NJ's activities from public or private sources.
- (b) To contract with other organizations, both for-profit and nonprofit, with individuals, and with governmental agencies in furtherance of these purposes.
- (c) To receive, administer, hold and invest funds for the purposes of MHOA-NJ, and to that end take and hold by bequest, devise, gift, grant, purchase, lease or otherwise, either absolutely or jointly with any other person, corporation, or other entity, any property, real, personal, tangible or intangible or any undivided interest therein, without limitation as to the amount of value; to sell, convey, transfer, fit or otherwise dispose of any such funds or property and to invest, reinvest, or deal with the principal or the income thereof in such manner as, in the judgment of the Trustees, will best promote the purposes of MHOA-NJ;
- (d) To raise and distribute funds either directly or through related organizations or other organizations exempt from Federal tax under Section 501(c)(3) of the Code in furtherance of MHOA-NJ's purposes, subject to limitations on the nature and extent of such activities applicable to organizations exempt from Federal tax under Section 501(c)(3); and
- (e) To otherwise operate exclusively for charitable, religious, scientific, or educational purposes within the meaning of the Code.

Section 5. Notwithstanding any other provision of these Bylaws, no part of the net earnings of MHOA-NJ shall inure to the benefit of, or be distributable to, its Trustees. Officers, Directors, or other persons, except that MHOA-NJ shall be authorized and empowered to pay reasonable compensation for services rendered and make payments in furtherance of the purposes set forth herein. Furthermore, no Trustee, Director, or Officer shall be entitled to

share in the distribution of any of the corporate assets upon dissolution of MHOA-NJ Corporation

Exceptions to section 5

- (a) Travel cost and any other expense of any officer on official business shall be paid, if requested, as long as receipts are provided and subject to the approval of the Executive Board.
- (b) Authenticated telephone bills and office supplies shall be paid, subject to the approval of the Board of Directors Committee.

Section 6. Notwithstanding any other provisions of these Bylaws, the corporation shall not carry on any activities not permitted to be carried on by (1) a corporation exempt from Federal income tax under Section 501(c)(3) of the Code (or the corresponding provision of any future United States Internal Revenue Law); or (2) a corporation, contributions to which are deductible under Section 170(c)(2) of the Code (or the corresponding provision of any future United States Internal Revenue Law).

### **ARTICLE III - SERVICE AREA**

Section 1. MHOA-NJ conducts its organizing activities throughout the State of New Jersey. MHOA-NJ chapters may be formed throughout this service area. MHOA-NJ Board of Directors may support new chapters or assist chapter leadership in the dissolution of existing chapters as it deems appropriate. MHOA-NJ's Board of Directors may approve organizing activities beyond this designated area for special exceptions.

### **ARTICLE IV - MEMBERSHIP**

Section 1. MHOA-NJ is a membership organization of manufactured homeowners living in manufactured home communities (primarily residential land-lease communities). MHOA-NJ regular membership applies to an entire household, and every adult (person over 18 years of age) residing in a household is considered a member. However, for elections and voting purposes, each household has one vote. The Board shall establish annual membership dues.

Section 2. Associate memberships may be conferred after written application by the proposed applicant if the Board authorizes such memberships. The Board will set associate membership dues. Associate members are those without voting privileges, who contribute time, expertise, or financial assistance to MHOA-NJ or homeowners/residents of manufactured home parks.

Section 3. The Executive Committee may confer honorary membership.

Section 4. No members shall have a conflict of interest by owning or being employed by a non- resident owned manufactured home community.

Section 5. Voting on all issues at the MHOA-NJ Annual Meeting is for members only. No proxy vote or absentee votes are allowed.

Section 6. Any member actively working against the bylaws and mission, as defined by the Executive Board of the Association, may be removed as a member by a majority vote of the Executive Board.

## **ARTICLE V – MEMBERSHIP PRIVILEGES & RESPONSIBILITIES**

Section 1. Every member in each household receives an annual membership card. All household members who wish to be members should be listed on the application for membership and the membership card.

The membership card serves as the member's record of dues paid. , Whenever the consent of members is required on any question, there shall be counted only one vote for each household.

Section 2. Each member is entitled to:

- a. All official publications.
- b. Referrals for legal guidance on affairs relevant to manufactured housing.
- c. Bring to the attention of the Board any issues or problems related to manufactured home living for the purpose of obtaining advice in handling the issue.
- d. Other benefits which the Board may approve.

Section 3. Each regular member who has held a membership card for six (6) months is eligible to hold office in the Association.

## **ARTICLE V I – CHAPTERS**

Section 1. The MHOA-NJ Board has sole authority to approve MHOA-NJ chapters.

Section 2. Chapters may be incorporated or unincorporated and shall be considered separate legal entities from the Manufactured Homeowners Association of New Jersey, Inc. Each Chapter shall be legally responsible for any actions taken by it, and such acts shall not be the responsibility of the Manufactured Homeowners Association of New Jersey, Inc. unless authorized in writing by the Executive Committee. Chapters shall operate autonomously in funding and leadership from MHOA-NJ; however, all MHOA-NJ advisory committee members must be MHOA-NJ members.

Section 3. Municipal-level Alliances are formed to give members and chapters a voice at the municipal level and to participate in broader MHOA-NJ issues if there are at least two parks and the organization has at least one member in each park. Municipal Alliances will be treated as chapters and will garner all benefits and responsibilities that chapters have.

Section 4. Any new Chapter shall adopt governing documents which shall not conflict with the Articles of Incorporation and By-Laws of the Manufactured Home Owners Association of New Jersey, Inc. Chapters should carefully consider the requirements of NJSA 46:8C-2 through 46:8C-21 (New Jersey's Manufactured Housing Protection Act) when establishing a

home owners association or MHOA- NJ Chapter. This NJ law provides that homeowner associations have certain rights when they meet minimum organizational standards.

Section 5. The Board of Directors may terminate the cooperating relationship between the Manufactured Home Owners Association of New Jersey, Inc. and any Chapter for cause, on sixty (60) days written notice, but the Chapter shall be given a reasonable opportunity, within the specified sixty (60) days to show cause why such cooperating relationship should not be terminated.

Section 7. Any chapter of a chapter organization that includes in its certificate of incorporation a provision that it is a chapter of MHOA-NJ shall, upon revocation of its charter by the chapter organization, continue to be a corporation until dissolved in accordance with all Federal and NJ laws which govern the corporation.

Section 8. No chapter, corporation, or other entity shall adopt or use a name or symbol indicating that it is affiliated in any way with MHOA-NJ unless it is a chapter of the organization or does so with the consent of the MHOA-NJ Board of Directors.

## **ARTICLE VII – CHAPTER PRIVILEGES & RESPONSIBILITIES**

Section 1. Chapters participate in MHOA-NJ programs, address manufactured home park issues, and receive support from MHOA-NJ staff. Chapters shall cooperate with the work of the Manufactured Homeowners Association of New Jersey, Inc. by

- (a) Keeping members currently and fully informed on the activities of the organization.
- (b) Creating an appreciation by members of the need for and the importance of their active support.

### Section 2: Duties

- (a) Each Chapter is responsible for seeing that their members of Manufactured Homeowners Association of New Jersey, Inc. dues are collected and sent to the administrative office of MHOA-NJ by January 1 of each year. Checks, drafts, and money orders shall be drawn to the order of Manufactured Homeowners Association of New Jersey, Inc., (MHOA of NJ).
- (b) At chapter meetings, the Secretary shall inform members of all correspondence received. The Chapter shall send to the Editor of the official publication material of Chapter activities and interests to be included in this publication.

Section 3: Each Chapter shall provide MHOA-NJ the following information and update it on an annual basis. It is the responsibility of the MHOA-NJ Board of Directors to review that chapters have provided the materials and to help chapters meet these requirements.

- (a) Membership roster showing all changes in membership status within the Chapter such as admission, expulsions, or suspensions of members, etc., sent to the business address of MHOA-NJ.

- (b) Chapters need to provide MHOA-NJ with names, addresses, and contact information of their members to facilitate communication of critical information directly to MHOA-NJ members.

#### Section 4: Chapter Privileges

- (a) Chapters shall receive copies of all publications of MHOA-NJ (newsletters, bulletins, legislative reports, etc. In addition, Chapters receive special materials from the MHOA-NJ organization that relate to specific topics and issues that chapters identify as important.
- (b) Each chapter may make use of MHOA-NJ web hosting, coordinated email addresses, etc.
- (c) Each Chapter has the right to access expertise on the Board of Directors or form Board committees for fundraising, membership issues, organizational questions, and other issues that chapters need assistance with.
- (d) Each chapter can expect that an MHOA NJ Board Member or Representative may attend and provide workshops to the chapters as requested.
- (e) Chapters will have access to MHOA-NJ's legal referral system. This referral system will provide the names and information for attorneys who have agreed to set fees and free initial consultations. All requests and advice are to be provided at no cost to the chapter requesting it. The Board must approve all requests.
- (f) Chapters may use the logos and other affiliation indicators of MHOA-NJ.
- (g) (MHOA-NJ is constantly looking to increase benefits for chapters, and each chapter will be provided access to any additional benefits that the Board of Directors authorizes.

### **ARTICLE VIII – DUES AND ASSESSMENTS**

Section 1. Dues payable to the State Association shall be paid by the first of the year. The MHOA- NJ Board will establish annual dues. (A section was removed here)

Section 2. Chapters will notify their members of the pending renewals, collect the renewals, and forward them to MHOA-NJ for processing. A membership roster with the contact information of the members shall be forwarded to the Board. The Chapter shall initiate follow-up procedures on all delinquent renewals directly with the non-renewing memberships. Non- affiliated members shall be contacted directly by the MHOA-NJ prior to the expiration of membership.

Section 3. If any dues or assessments levied against a member are not paid on or before the due date, the member's membership card shall be in default, but a grace period of thirty (30) days will be allowed for any payment during which time the membership card will be in force. Should the member fail to pay the amount due at the expiration of their grace period, he/she shall forfeit his/her privileges of membership.

Section 4. A member who has forfeited membership for non-payment of dues or assessments may reapply for membership by remitting the annual dues and written application.

( See Appendix C, page 14)

## **ARTICLE IX - THE EXECUTIVE BOARD**

Section 1. The term of office for all MHOA-NJ Board members shall run for a two-year period.

Section 2. The Board Officers shall consist of 1) President, 2) Vice-President, 3) Treasurer, 4) Board Secretary. Each of these positions will be filled by an election held by the membership at MHOA-NJ's annual Meeting.

Optional\Additional Board positions may include Newsletter Editor, Membership Coordinator who is appointed by the President annually, Advisory Council Members, and At large members, all of whom shall cast one vote on issues, resolutions, etc.

Section 3. When the Board votes on issues, resolutions, etc., the President shall abstain from voting unless there is a tied vote; at this time, the President may cast the deciding vote to resolve the tied vote.

Section 4. Term of office for all elected and appointed officials shall be a two (2) year period. The positions of President and Secretary shall be voted upon in alternate years with that of the Vice President and the Treasurer.

Section 5. The annual meeting/convention will be held once each year at a place and date that the Board decides.

Section 6. The President may establish permanent or standing committees as well as temporary or ad-hoc committees to conduct programs and activities.

## **ARTICLE X. POWERS – THE BOARD**

Section 1. The Board shall have general charge and control of this organization's affairs, funds, and property.

This includes, but is not limited to the authority to:

- (a) Choose MHOA-NJ's issues, programs, and projects.
- (b) Approve the annual budget and overseeing MHOA-NJ's finances.
- (c) Establish organizational policies.
- (d) Develop and monitor MHOA-NJ's strategic plan.
- (e) Conduct the annual planning process and develop the Annual Work Plan.
- (f) Certify and review the status of parks as MHOA-NJ chapters.

In addition, Board members have the responsibility to:

- (a) Prepare for each board meeting by reading the board packet and other materials.  
Maintain current knowledge of MHOA-NJ's issues, programs, and activities.



- (b) Attend all regular and special board meetings at regular intervals, participate actively and provide input.
- (c) Notify the President if you are unable to attend a meeting

## **ARTICLE XI – DUTIES OF ELECTED & APPOINTED OFFICIALS**

### **Section 1        PRESIDENT**

- (a) The President shall be the Chief Administrative Officer of the Association and shall be responsible for the execution of its policies and programs and the efficient functioning of its organization, under the general direction of the Board of Directors and pursuant to the Constitution and By-Laws, and the directives of the Convention.
- (b) Make assignments and re-assignments of such duties and functions of elected officers and committees as are not set out in the By-Laws subject to the approval of the Board.
- (c) Preside at all Conventions of the Association and all meetings of the Executive Committee.
- (d) Appoint all committees and be an ex-officio member thereof.
- (e) No person shall be elected to the position of President for more than three (3) consecutive two (2) year terms.

### **Section 2        VICE-PRESIDENT**

Shall be the Chief Executive Officer of the Association in the absence of the President

### **Section 3        RECORDING SECRETARY**

- (a) Shall keep accurate records of the proceedings of all Board meetings and at special meetings as the Board shall deem necessary.
- (b) Keep accurate records of the proceedings of the Convention.
- (c) Have charge of all secretarial records of the Association.

### **Section 4        TREASURER**

Perform such other duties as the Executive Director and Board shall deem necessary.

### **Section 5        MEMBERSHIP COORDINATOR**

- (a) Process Association dues and assessments, renewals, and notifications.
- (b) Prepare an annual Membership report to the membership at the Convention.

## **ARTICLE XII – STANDING COMMITTEES**

Section 1. Committee members and committee chairs shall be appointed at the Convention by the President to serve until the next Convention.

Section 2. By-Laws Committee shall be appointed by the President at the Convention. It shall consist of three (3) active members to serve until the next Convention. It shall be the duty of the Committee to study the proposed Constitution and By-Laws of the new Chapters and recommend to the Board if same should be accepted.

Section 3. Other committees may be formed, and members appointed by the President upon approval of the Board.

### **ARTICLE XIII– NOMINATIONS & ELECTIONS**

Section 1. Nominations and elections of officers shall be made at the annual Convention after all committee reports, regular and special reports have been made.

Section 2. Any active member approved by the nomination committee may be a candidate for election, provided he/she has been a member in good standing of MHOA-NJ for at least six months and must be over 18 years of age.

Section 3. A nominating committee appointed by the President shall receive requests by nominees for the Board positions. (Floor nominations have been removed). The nominating officer shall conduct the elections at the Convention.

Section 4. If the positions which are being elected have only one candidate, then the election may be done by acclamation; otherwise, all elections must be by secret ballot with a majority vote deciding. In the event there is no opposition for a certain office, the Recording Secretary shall cast one ballot.

Section 5. Each household shall have one vote. The votes shall be counted by a committee of at least two members appointed by the nominating officer.

Section 6. The election of Board Officers shall be staggered to provide a smooth transition for the optimal functioning of the Board.

### **ARTICLE XV – ANNUAL MEETING & CONVENTION**

Section 1. The annual Association Convention shall run no more than three (3) days. The place and date are to be decided by the Board.

Section 2. The President is the presiding officer at the Convention. The Recording Secretary serves as the Secretary for the Convention.

Section 3. In order to maintain order, the presiding officer may appoint a Sergeant-At-Arms.

## **ARTICLE XVI– NOTICE OF MEMBERS’ AND BOARD MEETINGS**

Section 1. Yearly schedules of the Board Meetings are provided to each Board member. Changes in the schedule are generally approved at the previous meeting but may be made by the President whenever deemed necessary.

Section 2. Board Meetings may be conducted by any telecommunication platform, or Board Members may phone into meetings if the technology to do so has been provided.

## **ARTICLE XVII– OFFICIAL PUBLICATIONS**

Section 1. The Association shall have its own publication to:

- (a) Be an organ for giving notices to members.
- (b) Keep members informed of Association activities
- (c) Keep members aware of news of the Manufactured Home and Civic/ World

Section 2. The Association shall be responsible for all monies earned and bills incurred by the publication.

## **ARTICLE XVIII- RULES OF ORDER**

Section 1. 51% of Board members, in good standing, constitutes a quorum and must be present at any Board meetings before voting or business can take place.

Section 2. The meetings and proceedings of MHOA-NJ shall be regulated and controlled according to Robert’s Rules of Orders (as revised) for parliamentary procedure. In cases where these bylaws and Robert’s Rules conflict, MHOA-NJ bylaws will prevail.

## **ARTICLE XIX BOOKS AND RECORDS**

Section 1. The Board of MHOA-NJ shall maintain, at the registered office of MHOA-NJ, originals or copies of all pertinent records and information in accordance with established best practices.

Section 2. The fiscal year shall be the calendar year.

## **ARTICLE XX. NON-DISCRIMINATION**

The terms and conditions of the bylaws will be applied equally to all citizens of the State of New Jersey without discrimination on the basis of race, color, creed, national origin, sex, age, religion, sexual orientation, mental or physical ability, political affiliation, marital status, status in regard to public assistance, veteran status, or ex-offender status, in compliance with all Federal, State and local laws.

## **ARTICLE XXI. AMENDMENTS**

These bylaws may be amended by the MHOA-NJ membership, provided that thirty days' notice of a motion is given and that two-thirds (2/3) of the voting MHOA-NJ members present at the announced MHOA-NJ annual membership meeting(s) vote in favor of the proposed amendments.

## **ARTICLE XXII –DISSOLUTION OF CORPORATION**

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or state or local government, for a public purpose.

## **ARTICLE XXIII. SEVERABILITY**

If the application of any provision of bylaws to a situation is finally determined by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of any other provisions of these bylaws, which can be given effect without application of the provision determined to be invalid as applied. To this end, the provision of all articles, sections, subsections, or subdivisions herein and the various applications thereof are declared to be severable.

## **APPENDIX A**

### **MHOA-NJ EMERGENCY DECLARATION**

On this date, October 17, 2020, by a majority vote of the Executive Board of the Manufactured Homeowners Association of New Jersey, from here on abbreviated as MHOA-NJ, a state of emergency has been declared due to the COVID-19 pandemic. The state of emergency hereby suspends or alters the bylaws of MHOA-NJ as follows:

- The annual 2020 convention and business meeting of MHOA-NJ are suspended and shall be scheduled at a later date in 2021.
- The 2020 election of officers of the Executive Board of MHOA-NJ is suspended and will be scheduled for a future date in 2021.
- All expiring terms of Executive Board members whose terms expire on December 31, 2020, shall be extended by six (6) months to June 30, 2021.
- An election shall be scheduled by video conference or in-person Convention no later than April 30, 2021.
- In the event of a continuing state of emergency, the Executive Board may alter this declaration in the future.

## Appendix B.



### **MHOA-NJ EMERGENCY DECLARATION**

On this date, March 19<sup>th</sup>, 2021, by a majority vote of the Executive Board of the Manufactured Homeowners Association of New Jersey, from here on abbreviated as MHOA-NJ, a continuing state of emergency has been declared due to the COVID-19 pandemic. The continuing state of emergency hereby suspends or alters the bylaws of MHOA-NJ as follows:

- The annual 2020 convention and business meeting of MHOA-NJ are suspended and shall be moved to the 2021 convention and business meeting.
- The 2020 election of officers of the Executive Board of MHOA-NJ is suspended and will be moved to the 2021 convention and business meeting.
- All expiring terms of Executive Board members whose terms expire on December 31<sup>st</sup>, 2020, shall be extended by twelve (12) months to December 31<sup>st</sup>, 2021.
- An election shall be scheduled by video conference or in-person convention no later than December 31<sup>st</sup>, 2021.
- In the event of a continuing state of emergency, the Executive Board may alter this declaration in the future.

Please feel free to reach out to me personally by e-mail or phone if there are any questions.

Yours truly,

Joseph Sullivan  
Executive Director  
MHOA-NJ

[jsullivan@mhoanj.org](mailto:jsullivan@mhoanj.org) | [mhoanj.org](http://mhoanj.org) | (609) 879-9799 | MHOA-NJ, PO Box 104, Jackson, NJ 08527

## **APPENDIX C RENEWAL AND COLLECTION OF MEMBERSHIP AND DUES**

1. MHOA-NJ fiscal year is based on a calendar year (Jan.1 to December 31)
2. Chapters are autonomous in regard to the procedures used for membership renewal fees and rosters.
  - Chapters are to provide in one (1) check, the dues collected from their community before January 31 of the following year.
  - An updated membership roster shall accompany the rendering of annual dues.
  - MHOA-NJ Officer will maintain and periodically update databases with information received from Chapters.
  - Members at Large renewals membership roster is maintained by a Board member.