

**Nancy Duffy McCarron, CBN 164780**  
Victim Rights Advocate, CA Real Estate Broker,  
Arbitrator, Better Business Bureau [So CA]  
CA Notary Public, Property Manager  
CFLA Master Forensic Loan Auditor  
950 Roble Lane  
Santa Barbara, CA 93103  
nandcyduffysb@yahoo.com

**March 1, 2016**

**OPEN LETTER ON BEHALF OF THE PEOPLE OF THE STATE OF CALIFORNIA**  
(posted at scribd.com Nancy Duffy McCarron)

Kamala Harris  
Attorney General of California  
1300 "I" Street  
Sacramento, CA 95814-2919  
Phone 916-445-9555

Re: HART | KING Law Firm  
Racketeering Enterprise  
Facilitating Grand Theft of  
Mobile homes for Park Owners

Dear Ms. Harris:

On behalf of the PEOPLE of the STATE of CALIFORNIA we petition an investigation of an ongoing racketeering enterprise orchestrated by Robert Williamson, Ryan Egan, John Pentecost and others at HART | KING, 4 Hutton Center Drive, St 900, Santa Ana, CA 92707. The enterprise was designed to steal mobile homes in California and Western United States to enrich wealthy park owners. Park owners pay HART | KING to prosecute unlawful evictions to steal homes from private owners who are rendered homeless after this grand theft of assets.

HART | KING orchestrates this racketeering enterprise to steal mobile homes by:

- 1.) Advising owners to artificially inflate "*qualification standards*" to buy or sublease homes, to thwart all sales or sub-leasing of privately owned homes to force owners to forfeit them, to avoid paying \$1,100/month space rent on a vacant home. This creates a windfall for park owners who convert stolen homes to "*dealer inventory*" and rent them to tenants who are unprotected by Mobile Home Residency Law (MRL) because they are not home owners. Park owners waive *qualification standards* for buyers or renters of *dealer inventory* homes and discount rent for tenants who lease from *dealer inventory*, creating a monopoly as rents on *dealer inventory* are cheaper than private owners charge to cover space rent they owe.
- 2.) Vigorously fighting campaigns for rent control and suing to eliminate *existing* rent control.
- 3.) Advising park owners to gouge rents and cut services to compel owners to forfeit homes because they can no longer afford to pay \$1,100/month or more space rent on a vacant home.
- 4.) Implementing new "*Community Rules*" with convoluted legalese to confuse homeowners. HART | KING writes rules prohibiting owners from sharing or leasing a mobile home absent written consent of a park manager who then unreasonably withholds it to compel forfeiture.

- 5.) If a relative or friend moves in to assist a sick or disabled homeowner, as soon as he/she dies or relocates to a Skilled Nursing Facility, the park owner notifies the resident he/she must meet *qualification standards* to live in the home. Managers then deny approvals. HART|KING serves a “5-day Notice to Surrender Premises under Civil Code §785.75(c).” Heirs rarely qualify to reside in a park under artificially inflated *qualification standards*. Thousands of residents are rendered homeless as wealthy park owners convert their homes to *dealer inventory* rented to tenants unprotected by Mobile Home Residency Law because they are not home owners. These tenants are subject to arbitrary and capricious evictions.
- 6.) No victim can tell her story without shedding tears as she relives the emotional pain. Victims realize it is pure evil but they are powerless to challenge the Goliath law firm.

**After investigating this racketeering enterprise for 4 years, I finally have direct evidence; i.e pleadings HART|KING filed in court, under oath, violating Penal Codes §132 and §134.** It is a felony to prepare to offer or offer any *altered* document as genuine in a proceeding in court for a deceitful purpose. Here, the purpose is to further a racketeering enterprise.

**On May 6, 2013 Appellate Division of San Bernardino Superior Court notified HART|KING their evictions under Civil Code §798.75(c) against occupants who were not purchasers or transferees, and who were not in privity of contract with park owners, were unlawful evictions. HART|KING appealed and lost; yet it continues to steal homes via the same unlawful tactics.**

- Exh. A** Shows grand theft of Joyce Dalen’s home after daughter Tina admitted her to a SNF. It shows the firm never named/served owner Joyce Dalen despite having her address. UDDS1101776 Stubblefield Properties v. Tina Dalen/Unknown Occupants 4-18-11 UD summons, Forcible Detainer Complaint, 5-Day Notice to Surrender-Civil §798.75(c) Tina Dalen could not afford a lawyer; she lost her mom’s home and is now homeless.
- Exh. B** Shows firm tried to steal McCarron’s home after Bonnie Shipley moved in to share it. It shows the firm never named/served owner McCarron despite having her address. UDDS1204130 Stubblefield Properties v. Bonnie Shipley/Unknown Occupants 8-27-12 UD summons, Forcible Detainer Complaint, 5-Day Notice to Surrender-Civil §798.75(c) McCarron represented Shipley; firm prosecuted 57 hearings, 18 volumes, 95-pg docket. Shipley filed MSJ; firm opposed offering fraudulent Civil §798.75(c) Legislative History
- Exh. C** 1-18-13 Maury Priest Declaration Supporting Shipley’s Motion for Summary Judgment Exh. L, M, N shows legislators struck **forcible detainer** words from §798.75(c) revisions
- Exh. D** **5-6-13 Appellate Writ of Mandate Reversing Trial Court’s Denial of Shipley’s MSJ finding forcible detainer evictions under Civil §798.75(c) are unlawful against occupants who are not purchasers or transferees and not in *privity* of contract with park owners. (Fourth District Court of Appeal – Division 2 - Panel Affirmed the Decision on Appeal) (Supreme Court Denied HART|KING Petition for Review) Affirmed and Final.**

After losing their attempt to steal McCarron’s home via an illegal eviction against Shipley, a mysterious fire occurred at the park-controlled electric pedestal supplying power to the home. Courageous neighbors extinguished the fire with hoses to save McCarron’s home from burning. After McCarron spent \$3,000 to repair the damage Stubblefield prosecuted a second illegal eviction against McCarron---alleging that she violated new Community Rules 2, 5, and 17.

UDFS1406978 Stubblefield v. McCarron - *unanimous* jury verdict for McCarron on 2/17/16. On 2/1/16 park owner Arnold Stubblefield produced a list of 176 homes he admitted owning out of 350 on monthly rent rolls. Office manager Kathrine Faulise testified monthly rents were \$900-\$1,100 thereby admitting his income exceeds \$350,000 per month on just one investment. When asked how he acquired over half of the privately owned homes he testified, “*I don’t know.*”

On Thursday, Feb 25, 2016 I received a call from attorney Moire Boyle, who was defending another HART | KING illegal eviction in which **Ryan Egan** used Civil §798.75(c) as the basis.

**Exh. E** Orange County Supr. Court 30-2016-00832458-CL-m-N Lew v. Deanne Wienzierl  
UD summons, Forcible Detainer Complaint, 5-Day Notice to Surrender-Civil §798.75(c)

Despite receiving actual knowledge on 5/6/13 from San Bernardino County Appellate Division the firm’s evictions using “5-day Notice to Surrender Premises under Civil Code §798.75(c)” of occupants who were not purchasers or transferees, or in privity of contract, were unlawful, HART | KING continues a racketeering enterprise to enrich park owners and the firm partners.

**In opposing defendant’s motion to quash the unlawful eviction to steal the Trust’s mobilehome Ryan Egan knowingly offered into evidence, “Legislative History of Revisions to Civil §798.75(c).” Ryan Egan had fraudulently altered the actual “Legislative History” [as shown in Exhibit C]. Ryan Egan omitted the pages striking out the words “forcible detainer” from the final revisions, which were stricken to preclude park owners from using Civil §798.75(c) to evict *lawful* occupants. Ryan Egan violated Penal Codes §132 and §134 with specific intent to deceive a judicial officer to steal the home from owner Schlosser Trust (who was not named or served) after its trustee died.**

Title was held in the name of the trust. (see Exh. F below) Ms. Wienzierl had the financial ability to pay rent and had been paying it all of the time she resided with her mom in the home. The park manager denied her application for residency using inflated *qualification standards* the HART | KING firm advised them to implement as part of a statewide racketeering enterprise.

**Exh. F** Egan’s RJN-omitted Pages Striking the Words Forcible Detainer From Final Revisions to Civil Code §798.75(c) in 1987 as explained by Maury Priest in his affidavit. [see Exh. C]

**Maury Priest testified he attended every legislative session in 1987, observed legislators and heard all comments, including striking the words “forcible detainer” to preclude park owners from using §798.75(c) to evict lawful occupants who were not purchasers/transferees**

I emailed Ms. Boyle a template of Ms. Shipley’s affirmative defenses to formulate affirmative defenses for Ms. Wienzierl to include in an Answer to HART | KING’s unlawful eviction complaint.

**Exh. G** Deanne Wienzierl’s Answer to Hart | King’s knowingly fraudulent eviction complaint.

In 2014 Assembly member Mark Stone introduced AB2026 to protect consumers from artificially inflated *qualification standards* devised to enable park owners to deny residency. AB2026 was introduced after consumers discovered that park owners were artificially inflating *qualification standards* to obstruct sales and subleasing of mobile homes by private owners. Park owners could just disapprove all prospective buyers or subtenants to force owners to forfeit their homes rendered unmarketable--rather than pay \$1,100 per month space rent with a vacant home they could not sublease or sell because park managers rejected all residency applications.

Park owners continue to convert filched homes into *dealer inventory* rented to tenants unprotected by Mobile Home Residency Law because these tenants are not home owners. These tenants are subject to arbitrary and capricious evictions at the whims of park owners.

HART|KING devised a clever scheme to defeat AB2026 as shown in **Exhibit H**. HART|KING circulated a “Sample Letter” to every park owner on the firm’s marketing list, advising all park owners to mail letters to their legislators, including the following pretext:

“We have a responsibility for the health, safety and quiet enjoyment of our whole community and if we are limited in our ability to control those factors, the quality of mobile home park living will most certainly be negatively impacted. **Please vote no on AB 2026.** [see **Exhibit H**]

The only thing negatively impacted by AB2026 was HART|KING’s racketeering enterprise to facilitate grand theft of mobile homes via fraudulent evictions using Civil Code §798.75(c). The Goliath law firm defeated consumer protections in AB2026 to ensure park owners’ could continue using artificially inflated *qualification standards* to obstruct sales and/or subleasing of privately owned homes by denying residency applications to compel owners to forfeit homes.

**Exh. H** HART|KING’s Campaign to Defeat AB2026 Consumer Protection Legislation

**Exh. I** Williamson’s Self-Marketing ads on *Linked-In* Reciting his “Triumphs” Over Consumers:

favorable jury verdict for property owner against racial discrimination claim  
invalidated city adopted voter rent control initiative  
closure of Treasure Island Trailer Park in Laguna Beach for redevelopment of resort  
defense of California developer against investor litigation charging subdivision fraud  
bankruptcy litigation claim against debtor by developer  
subdivision conversions—San Diego, San Bernardino, El Dorado, Napa, Santa Clara  
exempting communities from rent control in Santa Cruz

Robert Williamson failed to advertise his fraudulent use of Civil §798.75(c) to steal mobile homes from elderly, disabled, and mentally challenged occupants to enrich wealthy park owners. Apparently he explains the racketeering enterprise over the phone as he solicits wealthy clients.

**Exh. J** Williamson advises park owners to limit residency to persons over 55, which is a pretext used to steal homes from under 55 heirs or occupants by evicting them when a homeowner dies, after denying residency under inflated *qualification standards* or because occupant is not yet 55. HART|KING pounces on the distraught victim, who just lost a loved one, with its clearly *illegal* “5-day Notice to Surrender Premises under Civil §798.75(c)”---- evicting the victim forthwith. The emotionally devastated heir, straddled with funeral arrangements, forfeits the mobilehome. The sheriff locks out the victim-rendering the heir homeless. HART|KING serves the heir with a default judgment for attorney fees, which is waived if the heir immediately conveys the title.

We realize you are running for Senator. However, if you expect THE PEOPLE to support your campaign to represent them statewide, you must show THE PEOPLE you are ready and willing to defend the rights of THE PEOPLE, including those who are disadvantaged because they are elderly, disabled, and/or mentally challenged. These victims lack the funds to fight the HART | KING firm who steals their homes at will to enrich themselves and wealthy clients. **Please do not assign an underling to reply with a “*you need to contact a local DA*” form letter.** **IT IS A STATEWIDE RACKETEERING ENTERPRISE AND IT IS YOUR DUTY TO STOP IT.** **Donald Trump is winning because people are fed up with elected officials avoiding their duties!**

### **Penal Code §132. Offering false evidence**

Every person who upon any trial, proceeding, inquiry, or investigation whatever, authorized or permitted by law, offers in evidence, as genuine or true, any book, paper, document, record, or other instrument in writing, knowing the same to have been forged or fraudulently altered or antedated, is guilty of felony. Enacted 1872.

### **Penal Code §134. Preparing false evidence**

Every person guilty of preparing any false or antedated book, paper, record, instrument in writing, or other matter or thing, with intent to produce it, or allow it to be produced for any fraudulent or deceitful purpose, as genuine or true, upon any trial, proceeding, or inquiry whatever, authorized by law, is guilty of felony. Enacted 1872.

### **Annotations:**

This chapter is broad enough to include any interference with the production of true evidence, whether part of a scheme or plan to obstruct justice designed and begun before litigation has been instituted or afterward. *People v. McAllister* (1929) 99 CA.37

This section does not require the finding of a specific intent, as the word "knowingly" does not impart the idea of intent, but merely refers to a knowledge of the essential facts which bring the act within the statute. *People v. Horowitz* (1945) 70 CA 2d 675.

The crime of offering false evidence, described in Pen Code 132, involves moral turpitude. *In re Jones* (1971) 5 Cal 3d 390.

The objective of Penal Code 132 (offering false evidence), as with Penal Code 134 (preparing false documentary evidence), is to prevent the fraudulent introduction of material in a proceeding under the authority of law. Application of the section to inquiry proceedings is necessitated by the purpose of discouraging the introduction of this material. *People v. Pereira* (1989, 3rd Dist) 207 Cal App 3d 1057

Racketeers prey on elderly, disabled and mentally challenged victims as they are easy to defeat. The attached court filings prove racketeers continue to facilitate grand theft of homes statewide by wealthy park owners, who pay HART | KING to prosecute fraudulent evictions to steal homes. We demand that you discharge your duty to prosecute this statewide racketeering enterprise under Penal Codes §§487, 132 and 134.

*Nancy Duffy McCarron*

Victim Rights Attorney Advocate [see **Exh. K**]