

SUPERIOR COURT
WINDHAM UNITCIVIL DIVISION
CASE NO. 22-CV-01381**IN RE: ABANDONED MOBILE HOME
OF LARRY PORTER****NOTICE OF HEARING**

A hearing on The Housing Foundation, Inc.'s Verified Complaint to declare as abandoned and uninhabitable the mobile home of Larry Porter, located at the Shady Pines Mobile Home Park, 130 Shady Pines in Westminster, Vermont has been set for May 19, 2022 at 1:20 p.m. To participate in this hearing, the WEBEX Login Information is as follows:

App: Cisco Webex Meeting
Website: <https://vtcourts.webex.com>
Meeting Number: 2335 742 9114
Password: paQmRSSp333

If you do not have a computer or sufficient bandwidth, you may call (408) 418-9388 to appear by phone. (This is not a tollfree number). You will then enter the meeting number and password listed above. If you have technical difficulties, call the Court at (802) 365-7979.

Date: April 20, 2022 Civil Division Clerk

**VERIFIED COMPLAINT FOR ABANDONMENT
PURSUANT TO 10 V.S.A. § 6249(i) (Uninhabitable)**

NOW COMES The Housing Foundation, Inc. ("HFI"), by and through its counsel Nadine L. Scibek, and hereby complains as follows:

1. HFI, a Vermont non-profit corporation with a principal place of business in Montpelier, County of Washington, State of Vermont, is the record owner of a mobile home park known as the Shady Pines Mobile Home Park located in the Town of Westminster, Vermont (the "Park"). The Park is managed by the Vermont State Housing Authority.

2. Larry Porter ("Porter") is the record owner of a certain mobile home, described as a 1957 Travelo, 8' x 48', bearing serial number 2178094 (the "Mobile Home"), located at Shady Pines Mobile Home Park, 130 Shady Pines in Westminster, Vermont. There is no Bill of Sale recorded in the Westminster Land Records.

3. Porter leased a lot in the Park for his mobile home from HFI pursuant to a written lease. Porter paid no security deposit. See attached Lease.

4. Porter is believed to be deceased on or about April 26, 2019. Porter did not die in Vermont per Vermont Dept. of Health records.

5. No petition to open a probate estate has been filed for Porter per the Windham County Probate Court.

6. HFI's Counsel did send Porter a letter to ascertain his intentions with the Mobile Home on January 13, 2022 and the letter was returned by the Post Office. See attached.

7. The last known resident of the mobile home was Porter. The mobile home has been abandoned and is unoccupied for over 1 ½ years.

8. The following security interests, mortgages, liens and encumbrances appear of record with respect to the mobile home:

a. Porter is in arrears on obligations to pay property taxes to the Town of Westminster, Vermont in the aggregate amount of \$167.26, plus any additional interest and penalties. The delinquent property taxes are now a lien on the property. See attached Tax Bill & Delinquent Tax Report.

9. Mobile home storage fees continue to accrue at the rate of \$346.00 per month. Rent, storage fees and late charges due HFI as of April, 2022 total \$7,634.79. Court costs and attorney's fees from this action to date exceed \$750.00. See attached Account History.

10. HFI sent written notice by certified mail to the Town of Westminster on December 23, 2021 of HFI's intent to commence this abandonment action as required by statute. See attached.

11. The mobile home is uninhabitable. Thomas Young, Property Manager and duly authorized agent for the Park owner, will testify under oath as to the poor and unlivable condition of this mobile home at the abandonment hearing.

WHEREFORE, HFI respectfully requests that the Honorable Court enter an order as follows:

1. Declare that the mobile home has been abandoned;

2. Transfer the mobile home that is unfit for human habitation to Park owner HFI without a public auction so that it may be removed and disposed of accordingly.

3. Order pursuant to 10 V.S.A. § 6249(j) that the mobile home and any security deposit paid be conveyed to the Park Owner in "as is" condition, and free from all liens and other encumbrances of record.

DATED this 20th day of April, 2022.

THE HOUSING FOUNDATION, INC.

BY: Nadine L. Scibek
Attorney for HFI

I declare that the above statement is true and accurate to the best of my knowledge and belief. I understand that if the above statement is false, I will be subject to the penalty of perjury or other sanctions in the discretion of the Court.

April 20, 2022

By: Thomas Young, Duly Authorized Agent for HFI